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STATUTES

OF THE

PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

FIRST YEAR OF THE REIGN OF HIS MAJESTY

KING EDWARD VII.,

Being the Fourth Session of the Ninth Legislature
of Ontario.

BEGUN AND HOLDEN AT TORONTO ON THE SIXTH DAY OF FEBRUARY IN THE YEAR
OF OUR LORD ONE THOUSAND NINE HUNDRED AND ONE.

1901



54029
7/4/02

HIS HONOUR
THE HONOURABLE SIR OLIVER MOWAT,
LIEUTENANT-GOVERNOR

TORONTO:

Printed and Published by L. K. CAMERON,

Printer to the King's Most Excellent Majesty.

1901.



WARWICK BRO'S & RUTTER, PRINTERS,
TORONTO.

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I EDWARD VII.

An Act for granting to His Majesty certain sums of money to defray the expenses of Civil Government for the year one thousand nine hundred and one and for other purposes therein mentioned.

Assented to 15th April, 1901.

MOST GRACIOUS SOVEREIGN :

WHEREAS it appears by messages from His Honour, the Honourable Sir Oliver Mowat, Lieutenant-Governor of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the Schedules to this Act are required to defray certain expenses of the Civil Government of this Province, and of the public service thereof, and for other purposes for the year one thousand nine hundred and one; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows :—

1. From and out of the Consolidated Revenue Fund of this Province, there shall and may be paid and applied a sum (not exceeding in the whole) of four million and forty-four thousand, six hundred and two dollars and eighty-three cents, for defraying the several charges and expenses of the Civil Government of this Province for the year one thousand nine hundred and one as set forth in Schedule A to this Act; and for the expenses of Legislation, Public Institutions' Maintenance and Salaries of the Officers of the Government and Civil Service for the month of January, one thousand nine hundred and two as set forth in Schedule B to this Act. \$4,044,602.83 granted out of the Consolidated Revenue Fund for certain purposes.

2. Accounts in detail of all moneys received on account of this Province, and of all expenditures under Schedule A of this Act shall be laid before the Legislative Assembly at its next sitting. Accounts to be laid before the Legislative Assembly.

3. Any part of the money under Schedule A, appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of December, one thousand nine hundred and one, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to Unexpended moneys.

1 s. to

to the said day; and all balances remaining unexpended after the twentieth day of January next shall lapse and be written off.

Expenditure
to be account-
ed for to His
Majesty.

4. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

SCHEDULE A.

SUMS granted to His Majesty by this Act for the year one thousand nine hundred and one, and the purposes for which they are granted.

CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto

Lieutenant-Governor's Office	\$ 3,805 00	
Attorney-General's Department	18,000 00	
Education Department	20,780 00	
Crown Lands Department	65,800 00	
Public Works do	30,350 00	
Treasury do	31,475 00	
Provincial Secretary's Department	19,850 00	
Inspection Public Institutions	16,625 00	
Audit, License and Justice Accounts	9,800 00	
Registrar-General's Branch	12,175 00	
Provincial Board of Health	7,950 00	
Department of Agriculture	19,210 00	
Insurance Branch	8,450 00	
Neglected Children's Branch	6,000 00	
Miscellaneous	11,400 00	
		<u>\$281,670 00</u>

LEGISLATION.

To defray expenses of Legislation \$133,000 00

ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice \$455,214 97

EDUCATION

EDUCATION.

To defray expenses of:—

Public and Separate School Education	\$482,072 06	
High Schools and Collegiate Institutes	115,675 00	
Library and Museum	8,000 00	
School of Practical Science	29,800 00	
Public Libraries, Art Schools, Literary and Scientific	58,000 00	
Technical Education	10,000 00	
Miscellaneous	14,075 00	
Superannuated Public and High School Teachers	61,300 00	
		<hr/> \$778,922 06

PUBLIC INSTITUTIONS' MAINTENANCE.

To defray expenses of:—

Asylum for the Insane, Toronto.	\$101,131 00	
Asylum for the Insane, London	129,160 00	
Asylum for the Insane, Kingston	75,699 00	
Asylum for the Insane, Hamilton	122,762 00	
Asylum for the Insane, Mimico	75,094 00	
Asylum for Insane, Brockville	73,587 00	
Asylum for Senile Patients, Cobourg	12,945 00	
Asylum for Idiots, Orillia	61,617 00	
Central Prison, Toronto	60,600 00	
Ontario Reformatory for Boys, Penetan- guishene	25,752 50	
Institution for the Deaf and Dumb, Belleville.	44,504 00	
Blind Institute, Brantford.....	32,782 00	
Andrew Mercer Reformatory for Women and Refuge for Girls, Toronto	25,475 00	
		<hr/> \$841,108 50

IMMIGRATION.

To defray expenses of a grant in aid of Immigration	\$4,825 00
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AGRICULTURE.

To defray expenses of a grant in aid of Agriculture	\$213,542 00
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HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities	\$192,531 83
--	--------------

MAINTENANCE AND REPAIRS OF GOVERNMENT AND
DEPARTMENTAL BUILDINGS.

Government House.....	\$ 8,700 00
Parliament and Departmental Buildings.....	40,040 00
Education Department (Normal School Build- ing)	7,200 00

MAINTENANCE

MAINTENANCE AND REPAIRS OF GOVERNMENT AND DEPARTMENTAL BUILDINGS.—*Continued.*

Miscellaneous	3,670 00	
Normal School, Ottawa	5,400 00	
Normal School, London.....	2,900 00	
School of Practical Science	3,525 00	
Agricultural College.....	8,270 00	
Osgoode Hall	8,640 00	
		<hr/>
		\$88,345 00

PUBLIC BUILDINGS.

Asylum for the Insane, Toronto	\$ 9,300 00	
do Mimico	4,025 00	
do London	20,701 00	
do Hamilton.....	11,000 00	
do Kingston	11,645 00	
do Brockville	5,730 00	
Asylum for Idiots, Orillia.....	7,500 00	
Central Prison, Toronto.....	8,800 00	
Reformatory for Boys, Penetanguishene	2,200 00	
Reformatory for Females, Toronto	4,750 00	
Blind Institute, Brantford.....	4,000 00	
Deaf and Dumb Institution, Belleville	4,385 00	
Cobourg Asylum for Senile Patients	52,750 00	
Agricultural College and Experimental Farm, Guelph.....	34,500 00	
Normal and Model Schools, Toronto.....	1,750 00	
Normal and Model Schools, Ottawa	5,075 00	
Normal School, London	9,462 00	
School of Practical Science, Toronto	6,450 00	
School of Practical Science, New Building	50,000 00	
Osgoode Hall, Toronto	3,950 00	
New Parliament Buildings	3,200 00	
District of Algoma.....	6,275 00	
Thunder Bay District	900 00	
Muskoka District	550 00	
Parry Sound District.....	3,475 00	
Nipissing District	1,200 00	
Rainy River District.....	400 00	
Reformatory for Boys, Oxford	30,000 00	
		<hr/>
		\$303,973 00

PUBLIC WORKS.

To defray expenses of Public Works	\$81,833 30
--	-------------

COLONIZATION ROADS AND MINING ROADS.

To defray expenses of Construction and Repairs	\$140,075 00
--	--------------

CHARGES ON CROWN LANDS.

To defray expenses on account of Crown Lands	\$162,575 00
--	--------------

RRFUND.

REFUNDS.

Education	\$ 1,000 00	
Crown Lands	18,500 00	
Miscellaneous Refunds	350 00	
Municipalities Fund	486 64	
Land Improvement Fund	3,436 28	
	<hr/>	\$23,772 92

MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure	\$213,214 25
---	--------------

UNFORESEEN AND UNPROVIDED.

To defray unforeseen and unprovided expenses	50,000 00
Total estimates for expenditure of 1901	<hr/> \$3,964,602 83

SCHEDULE B.

SUM granted to His Majesty by this Act for the year one thousand nine hundred and one and the purposes for which it is granted.

To defray the expenses of Legislation, Public Institutions' Maintenance, and for salaries of the officers of the Government and Civil Service for the month of January, 1902.....	\$80,000 00
Total.....	<hr/> \$4,044,602 83

CHAPTER 2.

An Act to amend The Voters' Lists Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat. c. 7,
s. 14 amended. **1.** Section 14 of *The Ontario Voters' Lists Act* is amended by inserting therein the following subsection (4a):

Appeals by
persons who
will be of age
within 30 days.

(4a) Anyone who will be of the age of twenty-one years within 30 days from the day fixed for hearing appeals to the County Judge and who possesses the other necessary qualifications to entitle him to be entered in the Voters' List shall have the right to apply to the judge to have his name entered and inserted in the Voters' List as entitled to vote at Municipal Elections and elections to the Legislative Assembly but nothing in this subsection contained shall be construed to confer upon any person the right to vote who is not of the full age of twenty-one years.

CHAPTER 3.

An Act to amend The Ontario Election Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Subsection 2 of section 167 of *The Ontario Election Act* is amended by inserting after the word "name" in the sixth line of the said subsection the words "or who procures an appointment as deputy returning officer by false pretence, deceit or other improper means, or who acts as deputy returning officer without lawful authority."

Rev. Stat.
c. 9, s. 167,
subs. 2,
amended.
Procuring
appointment
as deputy
returning offi-
cer by fraud.

2. The said Act is amended by adding thereto the following section :—

Rev. Stat.
c. 9, s. 112,
amended.

(112a) Any deputy returning officer or poll clerk who wilfully miscounts the ballots or otherwise makes up a false statement of the result shall be guilty of an offence and shall be liable to the penalties provided by subsection 2 of section 193.

Wilful mis-
conduct in
counting
ballots, etc.

CHAPTER 4.

An Act to extend the duration of the Legislative Assembly of the Province of Ontario.

Assented to 15th April, 1901.

Preamble.

WHEREAS by section 85 of *The British North America Act, 1867*, the duration of the Legislative Assembly of Ontario was fixed at a period of four years; and whereas by section 3 of chapter 12 of the Revised Statutes of Ontario, 1897, it is provided that every Legislative Assembly shall continue for four years from the fifty-fifth day after the writs for the election and no longer, subject to being sooner dissolved by the Lieutenant-Governor; and whereas it has generally been found more convenient for the Legislative Assembly not to assemble until at least thirty days after the close of the financial year, at which time the public accounts and departmental reports can be submitted for the consideration of the Assembly; and whereas the term of the present Legislative Assembly expires under the said chapter 12, Revised Statutes Ontario, 1897, on or about the twenty-ninth day of March, 1902, and the course of its business is liable to be interrupted by effluxion of time; and whereas by section 92 of *The British North America Act* power is given exclusively to the Legislature in each province to legislate among other things in relation to this matter:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Continuance
of Assembly
until end of
session.

1. Unless sooner dissolved by the Lieutenant-Governor the present Legislative Assembly, if in session at the expiration of the term fixed by section 3 of *The Act respecting The Legislative Assembly*, shall continue until prorogued by the Lieutenant-Governor and for ten days thereafter and no longer.

CHAPTER 5.

An Act to amend the Act respecting the settlement by Arbitration of Accounts between the Dominion of Canada and the Provinces of Ontario and Quebec and between the said two Provinces.

Assented to 15th April, 1901.

WHEREAS certain questions are still depending between the Dominion of Canada and the Province of Ontario, in the Arbitration provided for by chapter 6 of the Statutes of Canada of 1891, and by chapter 2 of the Statutes of Ontario of 1891; and whereas it is desirable that in respect of all such questions further provision should be made for the guidance of the Arbitrators appointed under said Acts, and in respect of appeals from the decisions of the said Arbitrators:

Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. From and after the passing of this Act, the said arbitrators shall, in respect of all questions thereafter arising in the said arbitration, in the determination of which the Dominion of Canada and the Province of Ontario only are interested, have jurisdiction to determine, and shall determine all questions, both of fact and of law, and their decisions in respect of questions of fact shall be final and conclusive; but their decisions in respect of questions of law presented or arising for their adjudication, including the question whether any such question presented is a question of law, shall be subject to appeal to the Supreme Court of Canada, and thence to His Majesty in His Privy Council, in case His Majesty is pleased to entertain the appeal; and section 6 of Chapter 2 of the Statutes of Ontario of 1891 shall not apply to the determination of any of such questions and matters arising after the passing of this Act.

Matters which may be determined by arbitrators.

2. When the Legislature of Quebec has passed an Act agreeing to the provisions of this Act, all questions thereafter arising in the said arbitration, in the determination of which the Province of Quebec is interested, either as between the Dominion of Canada and the Provinces of Ontario and Quebec, or between the Dominion of Canada and the Province of Quebec, or between the Provinces of Ontario and Quebec, shall be subject to the provisions hereof, in respect of all such questions.

Concurrent legislation of Province of Quebec.

3. This Act shall go into effect on such day as the Lieutenant Governor in Council may by proclamation appoint, and not before.

Commencement of Act.

CHAPTER

CHAPTER 6.

An Act to provide for the appropriation of certain lands for the Volunteers who served in South Africa and the Volunteer Militia who served on the frontier in 1866.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

Proclamation
setting apart
lands.

1. The Lieutenant-Governor in Council may from time to time designate by proclamation within two years after the passing of this Act such lands as he may deem proper for the purposes hereinafter mentioned.

Classes of per-
sons who may
be located
thereon.

2. The lands so set apart shall be reserved for location by any of the following classes of persons, viz :—

- (a) Persons resident or domiciled in the Province of Ontario who, while so resident or domiciled, were enrolled or enlisted in the Province of Ontario or elsewhere for active military service in the South African war, in the years 1899 and 1900.
- (b) Persons who are the next of kin of any person so enrolled who may be since deceased.
- (c) Any person who was a resident of this Province and who went from this Province to South Africa to act as chaplain or nurse or Red Cross Commissioner or as newspaper correspondent during the said war or any period thereof.
- (d) Persons who were members of the Volunteer Militia of Canada in Ontario and were engaged in active service in the defence of the frontier of this Province in 1865, 1866 or 1870.
- (e) Persons who are the next of kin of persons who lost their lives during service in the defence of the frontier in 1866 or 1870, or who died within six months after the termination of such service as the result of wounds or exposure or illness contracted during such service.

(f)

(f) Persons, resident in Ontario, who were members of the company known as the Chicago Volunteers and who came to Ontario in 1866 to serve in the defence of the Province.

(g) Persons resident in Ontario who were engaged in the Imperial Service in defence of the frontier of this Province in 1866.

3. Any person claiming the location of lands under this Act shall furnish evidence satisfactory to the Commissioner of Crown Lands that he is a member of one of the classes of persons designated in section 2 and all claims for the location of lands under this Act shall be filed with the Commissioner of Crown Lands before the first day of January, 1903.

Proofs to be furnished by locatee.

4. Notwithstanding that an applicant comes within more than one of the classes of persons mentioned in section 2 of this Act he shall not be entitled to be located for more than 160 acres of land. Not more than one such certificate of location for 160 acres shall be issued to the next of kin of any deceased person, as mentioned in clauses *b* and *e* of the said section.

Limit of grant to any one person.

5. Upon furnishing the necessary evidence as aforesaid the applicant shall be entitled to be located for 160 acres of land in the territory so set apart by proclamation and the Commissioner of Crown Lands shall issue a certificate to the person so located, which certificate shall describe the lands located and shall declare that the same are located under and subject to the provisions of this Act.

Certificate of location.

6. Lands located under this Act shall be exempt from all settlement duties and provincial and municipal taxes (except for school purposes) for a period of ten years from the date of such location, provided that such lands are held by the original locatee, or his heirs, executors or administrators, but upon the transfer of such land to any other person such exemption shall cease and such lands shall become subject to any Act or regulations then in force respecting settlement duties and provincial and municipal taxes, in the same manner as if the said lands had been located and sold at the date of the said transfer under the provisions of *The Public Lands Act* and the regulations made thereunder.

Exemption from settlement duties and taxes.

Rev. Stat. c. 28,

7. Any person located under this Act or the heirs, executors or administrators of any such person shall be entitled, upon furnishing evidence of the performance of settlement duties prescribed by the regulations of the Crown Lands Department, to have a patent issued to him or them for lands so located.

When patent to issue.

8. For the promotion of settlement of the lands set apart by proclamation as aforesaid, not more than one location under this

Not more than one location to the square mile.

this Act shall be allowed to the square mile within the territories so set apart.

Reservation of
pine timber.

Rev. Stat.
c. 32.

9. Every location or grant of land under this Act shall be subject to the reservation of pine timber, and, as to such pine timber, shall also be subject to the provisions of *The Act respecting Timber on Public Lands* and amendments thereto and to every license and permit issued and regulations made under the said Act, or amendments thereto, in the same manner and to the same extent as other public lands located and sold under *The Public Lands Act* and the regulations of the Crown Lands Department.

Lands and
proceeds
thereof not
exigible.

10. Lands located or patented under this Act shall not be subject to any writ or order of attachment or execution heretofore or hereafter issued in any action or other proceeding against any person entitled to be located under this Act nor shall the proceeds of any sale or assignment of such lands or of the rights of any such person therein be subject to any writ or order of attachment or execution or garnishee summons issued in respect of any debt heretofore or hereafter contracted by any such person.

Rev. Stat.
c. 28, s. 15,
not to apply
so as to
reserve
minerals.

11. Section 15 of *The Public Lands Act* shall not apply to lands granted under this Act but save as aforesaid lands located or granted under this Act shall be subject to the provisions of *The Mines Act* and to every mining lease or mining license issued thereunder prior to the location of such lands under this Act.

CHAPTER 7.

An Act to amend the Act to provide for the better Auditing of the Public Accounts of the Province

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :—

1. *The Act to provide for the better Auditing of the Public Accounts of the Province* is amended by adding thereto the following section ; Rev. stat.
c. 23 amended.

4a. There shall be in the office of the Provincial Auditor, a chief clerk, to be styled the Assistant Auditor, who shall at all times act for the Auditor in his absence. Assistant auditor.

CHAPTER 8.

An Act to amend The Succession Duty Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. This Act may be cited as *The Succession Duty Amendment Act, 1901.* Short title.

2. In this Act the words "The Act" mean "*The Succession Duty Act*," chapter 24, of the Revised Statutes of Ontario, 1897, as the said chapter stood amended before the passing of this Act. "The Act" to amend Rev. Stat., c. 24.

3 Section 2 of the Act is amended by adding thereto the following sub-sections: Rev. Stat., c. 24, s. 2 amended.

(2) The phrase "aggregate value" means the value of the property before any debts or other allowances or exemptions are deducted therefrom. "Aggregate value."

“Dutiable value.”

(3) “Dutiable” value means the value of the property after the debts or other allowances or exemptions authorized by this Act are deducted. This and the next preceding subsection shall be deemed and construed to declare the law of the Province as the same existed on and has existed since the fourteenth day of April, 1892, but shall not apply so as to affect any judgment of the High Court given before the passing of this Act, nor to any case now pending before the Treasury Department, nor to cases which have arisen or have been settled before the passing of this Act.

Allowing for debts in computing dutiable value of estate.

(4) In determining the dutiable value of the estate of a deceased person for purposes of the payment of succession duty hereunder, the value shall be taken as at the date of the death of the deceased, and allowance shall be made for reasonable funeral expenses and for his debts and incumbrances; and any debt or incumbrance for which an allowance is made shall be deducted from the value of the land or other subjects of property; but an allowance shall not be made—

- (a) For debts incurred by the deceased, or incumbrances created by a disposition made by the deceased, unless such debts or incumbrances were incurred or created bona fide for full consideration in money or money's worth wholly for the deceased's own use and benefit, and take effect out of his interest; nor
- (b) For any debt in respect whereof there is a right to reimbursement from any other estate or person, unless such reimbursement cannot be obtained; nor
- (c) More than once for the same debt or incumbrance charged upon different portions of the estate; nor
- (d) Shall any allowance or reduction be made for the expenses of administration of the estate (except surrogate fees) or execution of any trust created by the will of a testator.

Rev. Stat.
c. 24, s. 3 (1),
amended.

4. Subsection 1 of section 3 of the Act is amended by striking out in the first and second lines thereof the words “payment of all debts and expenses of administration,” and by substituting therefor the words, “the allowances authorized by this Act.”

Rev. Stat.
c. 24, s. 10,
repealed.

5. Section 10 of the Act is repealed.

Rev. Stat.,
c. 24, s. 4,
subs. 1,
amended.

6. (1). Paragraph (a) of sub-section 1 of section 4, of the Act is amended by striking out all the words after the word “elsewhere” in the 5th line thereof and by substituting therefor the words “and all moveable property locally situate out of this Province and any interest therein where the owner was domiciled in this Province at the time of his death whether such moveable property passes by will or intestacy.”

(2). The clause lettered (g) of subsection 1 of section 4 of the Act is amended by adding at the end thereof the following words:—"Any succession, estate, income or interest which formed the subject of a power of appointment, whether such power is general or absolute, or is special or limited, shall, for purposes of this Act, be deemed to be derived from the donor of the power."

Rev. Stat.,
c. 24, s. 4 (1)
as amended
by 62 V. (2),
c. 9, s. 11,
amended.

(3) Subsection 2 of the said section 4 is amended by striking out in the second line of the said subsection the words "and (f)" and by substituting therefor the words "(f), (g) and (h)" and the said subsection 2 is further amended by striking out all the words commencing with the words "and subject" in the third line to the end of the said sub-section.

Rev. Stat.
c. 24, s. 4 (2),
amended.

(4) The said section is further amended by inserting in the third sub-section thereof after the word "deceased" in the fifth line "or to any person or persons adopted before the age of twelve years by the deceased as his child or children, or to any infant to whom the deceased for not less than ten years prior to his death stood in the acknowledged relation of parent."

Rev. Stat.,
c. 24, s. 4,
subs. 3,
amended.

7. (1) Section 8 of the Act is amended by striking out all the words after the word "payable" in the thirteenth and fourteenth lines down to and including the figure "11" in the sixteenth line and by inserting in lieu thereof these words "under this Act."

Rev. Stat.
c. 24, s. 8,
amended.

(2) The said section is further amended by striking out in the twenty-second and twenty-third lines thereof all words down to and including the words "per annum" in the twenty-third line; and by inserting in lieu thereof, these words "all purposes of computations under this section, shall be four per cent. per annum."

8. Section 11 of the said Act is repealed, save as to estates which became dutiable before the passing of this Act, and the following section is substituted therefor:—

Rev. Stat. c
24, s. 11 re-
pealed.

11 (1) Where the dutiable property (real or personal) includes any future or contingent estate, income or interest, the duty on such estate, income or interest may be paid within the time limited by sub-section 1 of section 12; and, where so paid, the duty shall be on the value of such estate, income or interest computed under section 8 as at the death of the deceased. By consent of the Provincial Treasurer in writing, duty may be paid after the time so limited and before such estate, income or interest comes into possession; but in event of such consent, the duty shall then be on a value not less in any event than the value of such estate, income or interest computed under section 8 as at the date when the duty is paid; and no deduction shall be made for duty paid or payable on any prior estate, income or interest. The duty on

Future estates
etc., when
duty may
be paid.

on any future or contingent estate, income or interest, if not sooner paid (as in this sub-section provided) shall be payable forthwith when such estate, income or interest comes into possession, in which case the duty shall be on the value computed under section 8 as at the date of such coming into possession; and no deduction shall be made for duty paid or payable on any prior estate, income or interest.

Duty paid before estate comes into possession.

(2) Where the duty on any future or contingent estate, income or interest has been paid by the executor, administrator or trustee before such estate, income or interest comes into possession, the duty so paid shall be charged on such future or contingent estate, income or interest, and shall be repaid with interest at the rate mentioned in section 8, to the executor, administrator or trustee, as the case may be, by the person who is to become entitled to such future or contingent estate, income or interest; and if not sooner repaid shall then be repaid at the time when such estate, income or interest comes into possession.

When no person is entitled to the present enjoyment of a future or contingent estate.

(3) Where in respect of any future or contingent estate or interest, there is no person beneficially entitled to the present income or enjoyment, or where there is some part thereof to which there is no person so entitled, the duty on such future or contingent estate or interest, or on part thereof, as the case may be, shall be payable as in sections 11 and 12 provided.

Commuting duties on future estates or interests.

(4) Notwithstanding the duty may under this section not be payable until the time when the right of possession or actual enjoyment accrues, any executor, administrator, guardian, or trustee, or person owning a prior interest, when such executor, administrator, guardian, or trustee, or person has the custody or control of the property, may agree upon or commute for a present payment out of the property in discharge of the said duty; and the Treasurer of the Province may, upon the application of any such person, commute the succession duty, which would or might, but for the commutation, become payable in respect of such interest, for a certain sum to be presently paid, and for determining that sum shall cause a present value to be set upon such duty, regard being had to the contingencies affecting the liability to and rate and amount of such duty and interest; and on the receipt of such sum the Treasurer shall give a certificate of discharge from such duty.

Rev. Stat. c. 24, s. 12, amended.

Proviso.

9. (1). Sub-section 1 of section 12 of the Act is amended by adding at the end thereof the following proviso:—

“Provided that the duty chargeable upon any legacy given by way of annuity, whether for life or otherwise, shall be paid by four equal payments, the first of which payments of duty shall be made before or on completing payment of the first year's annuity, and the three others of such payments of duty shall be made in like manner successively, before or on completing

completing the respective payments of the three succeeding years' annuity respectively. In case the annuitant dies before the expiration of the said four years only payment of instalments which fall due before his death shall be required.

(2). The said section 12 is further amended by adding after sub-section 1 thereof subsection A as follows :—

A. The Lieutenant-Governor in Council, upon its being proved to his satisfaction that payment of the duty within the time limited by sub-section 1 of this section, would be unduly onerous on the estate, may, by Order-in Council, so extend the time for the payment of the said duty as shall appear just and reasonable; and the duty shall be due and payable as in the said Order-in-Council set forth.

Extension of
time for
payment.

(3) Sub-section 3 of section 12 of the Act is amended by adding thereto the words "provided the said Treasurer may in his discretion decline to grant such certificate until the expiration of one year from the death of the deceased testator or intestate as the case may be."

Rev. Stat.,
c. 24, s. 12,
subs. 3,
amended.

CHAPTER 9.

An Act to amend The Supplementary Revenue Act, 1899.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Section 6 of *The Supplementary Revenue Act, 1899*, is 62 V. (2) c. 8, amended by striking out the last three lines of the said section and substituting therefor "in the manner provided by the *Assessment Act* and amendments thereto."

s. 6 amended.

2. Section 7 of *The Supplementary Revenue Act, 1899*, as the said Act is amended by *The Supplementary Revenue Act, 1900*, is hereby amended by inserting in the twelfth line of the said section after the word "premiums," the words "or assessments."

62 Vict. (2)
cap. 8, s. 7,
amended.

3. Notwithstanding anything contained in either of the said Acts, in the preceding section mentioned, the word "Company" in the thirteenth line of said section 7 extends to and includes any Mutual Fire Insurance Company whatsoever standing registered under *The Ontario Insurance Act*.

Interpreta-
tion "Com-
pany."

CHAPTER 10.

An Act to amend The Agriculture and Arts Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly, of the Province of Ontario, enacts as follows :

Rev. stat. c. 43, s. 21, cl (e). amended. 1. Section 21 of *The Agriculture and Arts Act* is amended by striking out clause (e) thereof.

CHAPTER 11.

An Act respecting the Encouragement of the Sugar Beet Industry.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

\$225,000 set apart.

1. The sum of \$225,000 is hereby set apart as a special fund, to be paid out of the Consolidated Revenue of the Province, for the purpose of encouraging the growth of sugar beets, and the establishment of factories within the Province of Ontario for the manufacture of refined sugar therefrom.

"Year," meaning of

2. In this Act the word "year" shall mean the twelve months from June 30th to July 1st of the succeeding year.

Rate at which bounty to be paid.

3. In case any person or company shall establish and erect in any part of this Province suitable buildings and instal the necessary plant for the manufacture of refined sugar from sugar

sugar beets grown within this Province, such person or company shall, subject to the provisions of this Act, be entitled to be paid out of the said fund, for sugar so produced of first-class marketable quality, at the rate of one-half cent per pound, for the product of the first and second year's operations of such factory, and at the rate of one-quarter cent per pound for the product of the third year, and nothing for any year thereafter.

4. Not more than \$75,000 shall be paid out of the said fund in any one year and in case the total amounts claimed as earned in any one year under the provisions of section 3 shall exceed \$75,000, the said sum of \$75,000 shall be divided among the applicants in proportion to the amounts of their respective claims under this Act.

When fund not sufficient to pay all bounty earned

5. Every person or company intending to claim participation in the said fund shall file notice of such claim with the Treasurer of the Province on or before September 1st of the year in which claim is to be made, and the said person or company shall furnish to the Treasurer of the Province such proof of the correctness of the production and transactions of his or their factory as may at any time or from time to time be required.

Notice to be filed by claimants of bounty.

6. Claims under this Act shall be payable only under and subject to and on proof of compliance with the following conditions:—

Conditions on which bounty to be paid.

- (a) That during the first year of the operations of such factory, the full sum of at least \$4 per ton shall have been paid for all beets delivered at the factory, under contract irrespective of the quantity of saccharine matter contained in such beets.
- (b) That during the operations of the second and third years of such factory, the said person or company shall have paid for all beets grown according to contract and delivered at the factory at the rate of 33½ cents per ton for every one per cent. of sugar which such beets contain.
- (c) All forms of contract for the growing and delivery of beets used or to be used by any person or company claiming aid under this Act must be submitted to the Minister of Agriculture and approved by him.

7. In the event of any dispute between any such person or company, and any contractor for the supply of sugar beets as to the quantity of saccharine matter which said beets contain, reference shall be made to the analyst of the Agricultural College, Guelph, or to such person as may be nominated for that purpose by the Lieutenant-Governor-in-Council whose report shall be final.

Deciding disputes as to grade of beets

CHAPTER 12.

An Act to amend the Statute Law.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Rev. Stat. c.
1, s. 8 (5),
repealed.

1. Clause 5 of section 8 of *The Interpretation Act* is repealed, and the following substituted therefor :—

His Majesty,
etc., applica-
tion of.

(5) The words "His Majesty," "Her Majesty," "The King," "The Queen" or "The Crown," shall mean the Sovereign of the United Kingdom of Great Britain and Ireland for the time being.

Boundary line
between
Algoma and
Thunder Bay,
Rev. Stat., c. 3.

2. *The Act respecting the Territorial Division of Ontario for Municipal and Judicial purposes* is amended as regards the Provisional Judicial Districts of Algoma and Thunder Bay by providing that the limit between the two districts shall be the meridian of eighty-five degrees twenty minutes west longitude instead of the meridian of eighty-five degrees west longitude. This section shall not change the existing boundaries of the Electoral Districts of Algoma East and Algoma West.

Rev. Stat. c.
8, s. 1.

3. Section 1 of *The Manhood Suffrage Registration Act* is amended by adding at the end thereof the following words "the Town of Sault Sainte Marie and the Town of Desoronto."

Rev. Stat. c. 8
s. 8.

4. Section 8 of the said last mentioned Act is amended by adding thereto the following subsections :

Board of
Registrars in
Deseronto.

(9) In Desoronto the ex-officio members of the Board of Registrars shall be the Police Magistrate of the said town, the clerk of the municipal council of the said town and the clerk of the Division Court of the district in which the town is situated ; and they shall have the same power and authority as the Board of Registrars of a county town.

In Sault Ste.
Marie.

(10) In Sault Sainte Marie the ex-officio members of the Board of Registrars shall be the District Judge of the Provisional Judicial District of Algoma, the clerk of the District Court of the said Provisional Judicial District and the Local Master of Titles of the said district, and they shall have the same power and authority as the Board of Registrars of a county town.

5.—(1) Subsection 1 of section 61 of *The Ontario Election Act* is amended by striking out all the polling places named in the said subsection as the places at which polls shall be opened and held in unorganized territory, and substituting the following: Beaver Mills, Township of Atwood; Little Turtle Lake; Beaudro's Fishery, Lake of the Woods; Manitou Lake; Tierner's Corners, Barwick; Mikado Mine; School House, No. 1, Crozier, Mine Centre; School House, No. 1, Dylke; School House, No. 1, Morley; School House, No. 1, Devlin; Oxdrift, Township of Wainwright; Dryden, Township of Wainwright; Regina Mine; Emo, Township of Lash; Sturgeon Falls; Fort Francis; Sultana Mine; Hawk Lake; Vermillion Bay; Ignace, Wabigoon; Keewatin; School House, No. 1, Township of Woodyatt.

Rev. Stat.,
c. 9, s. 61,
amended.

Polling places
in Algoma.

(2) Subsection 2 of the said section is amended by striking out "Michael's Bay" in the list of polling places named for municipalities, and by adding to the said list "Bidwell School House."

(3) Section 34 of the Act to amend the *Ontario Election Act* passed in the 63rd year of the reign of Her Late Majesty, and chaptered 4, is amended by striking out "Gavel Beach" therein named and substituting therefor "Gravel Beach."

6. Section 154 of *The Judicature Act* is amended by adding thereto the words "at non-jury as well as at jury sittings."

Rev. Stat.,
c. 51, s. 154,
amended.

7. Section 2 of *The Act respecting the County Judges' Criminal Courts*, is amended by inserting the word "Court" after the words "The County" in the second line of the said section.

Rev. Stat.,
c. 57, s. 2,
amended.
Crim. Code
s. 764.

8. *The Surrogate Courts Act* is amended by striking out so much of Schedule "A" of the said Act as follows the heading "On Proceedings in the Office of the Surrogate Clerk" and substituting therefor the following as the fees to be taken for proceedings in the office of the Surrogate Clerk, and the said fees shall be payable notwithstanding anything contained in section 76 of the said Act, or in section 155 of *The Ontario Insurance Act*:—

Rev. Stat.,
c. 59,
schedule
amended.

a. On every search for grant of probate, administration, guardianship, or other matter in Clerk's office (other than searches on application of Registrars)\$0 50

Fees payable
in Surrogate
Clerk's office.

b. On every certificate of search or extract..... 1 00

(If exceeding three folios, 10 cents for each additional folio.)

- c. On every certificate respecting other application or caveat, when necessary search does not extend beyond three years..... 0 50

When the necessary search extends beyond three years, 10 cents additional for every year beyond three years.

- d. On every certificate, when the whole estate does not exceed in value \$400; or when the estate consists of insurance money only, not exceeding \$400... 0 30
- e. On every other certificate issued by the Surrogate Clerk 0 50
- f. On every order made on application to a Judge in the High Court and transmission of same, exclusive of postage..... 0 80
- g. On entry of every appeal 1 00
- h. On every judgment on appeal and transmission, exclusive of postage..... 3 00
- i. On entry of caveat 0 50
- j. On every judgment or order on appeal..... 2 50

Rev. Stat.
c. 72, s. 1 (g),
amended.

9. Subsection 1 of section 1 of *The Act respecting the Limitation of Certain Actions* is amended by inserting in clause (g) of the said subsection after the words "given to" in the second line of the said clause, the words "the Crown or."

Rev. Stat.
c. 89, s. 1,
amended.

10. Section 3 of *The Act to provide for Security for Costs in Certain Actions against Justices of the Peace and Others* is amended by adding thereto the following words: "The order may provide that unless security is furnished within such time as may be specified therein the action is to be dismissed." This amendment shall apply to pending as well as future actions.

Rev. Stat.
c. 91, s. 3,
amended.

11. Section 3 of *The Act respecting Appeals to the Court of Appeal on Prosecutions to Enforce Penalties and Punish Offenders under Provincial Acts* is amended by adding thereto the following subsection:—

Appeals to
Court of
Appeal from
general ses-
sions.

(3) An appeal to the Court of Appeal shall also lie from a judgment or decision of any Court of General Sessions of the Peace allowing or dismissing an appeal thereto under *The Ontario Summary Convictions Act* and without giving any security on the appeal to the Court of Appeal. Provided that the Attorney General for Ontario certifies his opinion that the judgment or decision involves a question of law of sufficient importance to justify the case being appealed.

Rev. Stat.
c. 107, s. 2,
amended.

12. Section 2 of *The Act respecting the Appropriation of certain Fines and Forfeitures* is hereby amended by striking out

out in the sixth line thereof the word "no" and substituting therefor the words "except so far as."

13. Section 40 of *The Mechanics' and Wage-Earners' Lien Act* is amended by adding thereto the following subsection:— Rev. Stat.
c. 153, s. 40,
amended.

2. When the proceedings are commenced in the office of a Local Master and Deputy Registrar who is paid by fees such amount shall be payable in cash to such Local Master and Deputy Registrar instead of in stamps.

14. *The Act respecting Master and Servant* is amended by adding thereto the following section: Rev. Stat.
c. 157.

5a. In case any person enters into an agreement under which he receives as an advance of wages, money, food, lodging or railway or steamboat tickets to enable him to reach any place at which he has engaged to perform labour, work or other services, if such person thereafter without the consent of his employer, leaves his employment before the money or cost of such food, lodging or transportation has been repaid, he shall on proof thereof before a justice of the peace be liable on summary conviction to a penalty not exceeding \$25, and in default of payment of such penalty to imprisonment in the common gaol of the county or district for a period not exceeding thirty days, as the justice may direct. Penalty for
workman
leaving em-
ployment be-
fore repaying
advances.

15. Section 54 of *The Act respecting Solicitors* is amended by adding thereto the following subsections:— Rev. Stat.
c. 174, s. 54,
amended.

(6) A solicitor or counsel whose remuneration is paid wholly or partly by salary, annual or otherwise, shall, notwithstanding have the right to recover and collect lawful costs in all actions and proceedings in the same manner as if such solicitor or counsel were not receiving a salary where the costs are payable to the solicitor or counsel as part of his remuneration in addition to his salary. Collection of
costs by
salaried
solicitor.

16. Section 39 of *The Surveys Act*, chapter 181 of the Revised Statutes 1897, is amended by adding thereto the following subsection:— Rev. Stat.
c. 181, s. 39,
amended.

(9) To remove doubts it is hereby enacted and declared that it is not and was not the intention of this section to affect any theretofore existing liability as to maintaining and repairing roads, streets or bridges and such liability and all rights and remedies for the enforcement of the same are continued as they existed prior to the year 1886 as regards all persons in the case of all roads, streets or bridges until the same are assumed for public use by the municipal corporation interested. Not to affect
liability for
maintenance
and repairs
of roads, etc.

17. The following section is added to *The Ontario Mining Companies Incorporation Act* as section 14 thereof:— Rev. Stat.
c. 197,
amended.

14. In any action hereafter brought in Ontario against a British subject on a judgment, decree or order obtained in any foreign Actions on
foreign judg-
ments respect-
foreign

ing mining
matters in
Ontario.

foreign country respecting or arising out of mines or mining companies or transactions or matters or persons connected therewith, or bringing in question matters relating thereto, whether the service of the writ, notice or claim on the defendant or party sued has been personal or not, any defence that might have been set up to the original action, or which might have been set up if the original action had been brought in Ontario, may be set up and made to the action on the judgment, decree or order.

Rev. Stat. c.
206, s. 120,
amended.

18. Section 120 of *The Loan Corporations Act* (as amended by section 13 of an Act passed in the sixty-third year of the reign of Her late Majesty Queen Victoria, and chaptered 27) is amended by adding at end thereof the following words:—

"Proviso."

"Provided also that, where a corporation proves to the satisfaction of the registrar that it is discontinuing business in the Province and has given such public notice of intended discontinuance as shall be required, the fee for registry (or renewal of registry as the case may be) may, on the certificate of the registrar in writing, be commuted to one-fourth of the fee hereinbefore prescribed; but registry at such commuted fee shall not be granted for more than four years in all."

Rev. Stat. c.
223, s. 562.

19. Section 562 of *The Municipal Act* is hereby amended by inserting, immediately after sub-section 1 thereof, the following:—

1 (a) For purchasing or otherwise acquiring and taking a conveyance from any company incorporated under the laws of this Province, or the late Province of Canada, of any harbour within the municipality, or within any adjacent municipality, in the same county, and for selling and conveying such harbour to any purchaser thereof.

Rev. Stat.
c. 246, s. 7,
amended.

20. Sub-section 7 of section 7 of *The Act to prevent the Profanation of the Lord's Day* is amended by striking out the words "under this section" in the last line thereof, and substituting therefor the words "under section 10 of this Act."

Rev. Stat.
c. 284, s. 8,
amended.

21. Section 8 of *The Line Fences Act* is amended by inserting after the word "given" in the fifth line thereof the words "by the clerk of the municipality with whom the same has been deposited."

Rev. Stat.,
c. 285, s. 22,
amended.

22. Sub-section 6 of section 22 of *The Ditches and Water Courses Act* is amended by adding thereto the following:—

"Or within such further period as the Judge on hearing the parties may decide to be necessary in order to allow proper inspection of the premises to be made as authorized by the next following sub-section."

23. Section 7 of *The Act to encourage the Destroying of Wolves* is amended by adding after the word "sheriff" in the fifth line of the said section the words "notary public." Rev. Stat.,
c. 290, s. 7,
amended.

24. Section 58 of chapter 317 of the Revised Statutes of Ontario 1897 is repealed and the following substituted therefor:— Rev. Stat.
c. 317, s. 58,
repealed.

58. The Inspector shall be liable to render an account as to the manner in which he has managed the property and effects of the lunatic, in the same way and subject to the same responsibilities as any trustee, guardian or committee duly appointed for a similar purpose may be called upon to account, and shall be entitled from time to time to bring in and pass his accounts and tax costs before the High Court of Justice, but he shall only be liable for wilful misconduct. R. S. O. 1887, c. 245, s. 58. Inspector,
acting as
committee to
account.

25. Section 5 of the Act passed in the 63rd year of Her late Majesty's reign chaptered 30 being an *Act Respecting Aid by Land Grant to the Algoma Central Railway Company* is amended by adding thereto the following: 63 Vic. c. 30,
s. 5, amended.

"Provided, however, that, the rights of the crown in dealing with such claims shall remain the same as if this Act had not been passed."

26. Section 12 (a) of *The Liquor License Act* as enacted by section 28 of the Act passed in the 62nd year of the reign of Her late Majesty Queen Victoria, chaptered 31, amended by striking out the words "in any city" in the first and second lines thereof, and by inserting the word "wholesale" between the words "a" and "tavern" in the first line thereof. Rev. Stat. c.
170, s. 17,
amended.

27. Section 17 of *The Landlord and Tenant's Act* is amended by adding at the end thereof the following words: Rev. Stat.
c. 170, s. 17,
amended.

"But a lease for a term not less than seven years when the land only belongs to the lessor and made under *The Act respecting Short Forms of Leases* containing the covenant on the part of the lessee to pay taxes and omitting the words 'except for local improvements' shall be deemed a covenant by the lessee for payment of taxes assessed for local improvements, within the meaning of this section."

Payment of
local improve-
ment taxes.

28. No sanatorium, institution or place for the reception care or treatment of persons suffering from consumption or tuberculosis, shall hereafter be established, maintained or kept within 150 yards of an inhabited dwelling, without the owner, manager or persons to whom the same belongs having first obtained the consent by resolution given in writing of the local board of health of the municipality wherein it is proposed to establish the same. Consumption
hospitals—
where not to
be established.

Penalty

29. Any person who shall contrary to the provisions of the preceding section, establish, maintain or keep any such sanatorium, institution or place, or who shall take part in the superintendence or management thereof, after notice in writing by the local board of health of the municipality, through an officer thereof, to desist from so doing, shall be liable to a penalty not exceeding \$25 for each and every day on which after notice in writing, the offence is continued.

Rev. Stat. c. 153, s. 7, subs. 1, amended.

30. Sub-section 1 of section 7 of *The Mechanics and Wage-earners' Lien Act* is hereby amended by adding at the end of the said section the following words: "Provided and it is hereby declared that nothing in this Act contained shall extend or be construed to extend to any public street or highway, or to any work or improvement done or caused to be done by a municipality thereon."

Agreement for sale of U. C. College site to City of Toronto.

31. The Lieutenant-Governor in Council with the consent of the trustees of the University of Toronto is hereby authorized and empowered to negotiate with the Corporation of the City of Toronto for the sale to the said corporation of that property in the City of Toronto known as the Upper Canada College Block situate between King and Adelaide, Simcoe and John Streets in the City of Toronto for such sum not less than \$200,000 as may be agreed upon and in the case of any such sale being agreed upon the council of the City of Toronto is hereby authorized to pass a by-law providing for the issue of debentures of the said corporation payable within 40 years from the date thereof for such amount as may be necessary to cover the purchase money, with half-yearly coupons attached thereto for interest at not less than 3 nor more than 4 per cent. per annum.

63 V. c. 30, s. 1, amended.

32.—(1) Section 1 of *The Act respecting Aid by Land Grant to the Algoma Central Railway Company* is amended by inserting after the word "Company" in the fourth line thereof "incorporated by an Act of the Parliament of Canada passed in the 63rd year of Her Majesty's reign and chaptered "number 50."

63 V. c. 30, s. 6, amended.

(2) Section 6 of the said Act is amended by striking out the word "shall" in the fifth line thereof and substituting therefor the word "may".

63 V. c. 30, s. 4, amended.

33. Section 4 of the said Act is amended by adding thereto the following words:—

Laying out and selecting township blocks for Algoma Central Land Grant.

"Provided however, but subject to the modifications aforesaid, that the railway company may survey territory, to an equal distance as nearly as practicable on each side of any 12 mile section of its line of railway, and lay out therein rectangular townships six miles square, and in such case in lieu of the grants of blocks of 148,000 acres each as aforesaid grants may be made within such territory so laid out in township

“ township blocks, to the railway company of blocks consisting
“ of one or more of such township blocks so that a township
“ shall be granted to the railway company and an adjoining
“ township reserved to the Province, or where a block consist-
“ ing of more than one township block is granted to the rail-
“ way company an adjoining block, consisting of the same
“ number of township blocks shall be reserved to the Province,
“ provided that there shall be granted to the railway com-
“ pany 7,400 acres for every mile of the railway construct-
“ ed, as set out in section 1 of this Act.”

34. The paragraph numbered 4 in section 16 of the said Act is amended by inserting therein after the word “ land ” in the 4th line the words “ of 148,000 acres ” and by inserting after the word “ reserved ” in the same line the words “ and also as nearly as may be in the centre of such territory (if any) so laid out in township blocks.” 63 V. c. 30, s. 16, par. 4, amended.

35. Subsection 3 of section 108, of *The Public Health Act* is amended by adding after the word “ osteosarcoma ” in the eighth line of the said subsection the words “ or any disease of a cancerous nature ”. Rev. Stat. c. 248, section 108 amended.

36. This Act shall come into force forthwith after the passing thereof, except as to section 8 which shall come into force on, from and after the first day of July next. Commence-ment of Act.

CHAPTER 13.

An Act respecting Summary Convictions.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

Rev. Stat.
c. 90, s. 2 (1),
amended.

1. Sub-section 1 of section 2 of *The Ontario Summary Convictions Act*, being chapter 90 of the Revised Statutes of Ontario, is hereby amended by adding thereto the following : "and for greater certainty it is hereby declared that this sub-section is intended to include and to make applicable to any such conviction or order and to any warrant for enforcing the same the provisions of the said statutes of Canada relating to the matters and things which are dealt with or included in sections 889 to 896, both inclusive, of *The Criminal Code*, 1892.

Nothing herein contained shall be deemed to imply that the said provisions are not now included in the said sub-section of section 2 and section 8 respectively, or to limit the application of the said sub-section and section.

Rev. Stat.
c. 90, s. 8,
amended.

2. Section 8 of the said Act is amended by inserting in the eighth line thereof after the word "thereof" the words "including the practice and procedure as to the statement of a case for the opinion of the Court."

Security to be
given by
applicant to
quash.

3. The Supreme Court of Judicature for Ontario may prescribe by rules of court that no motion to quash any conviction or other proceeding had or made under the authority of a statute of the Legislature of Ontario or other statute or law in force in the Province of Ontario and relating to matters within the legislative authority of the Legislature, and brought before the High Court of Justice for Ontario by *certiorari* shall be entertained unless the defendant is shown to have entered into a recognizance with one or more sufficient sureties before a justice or justices of the county or place within which such conviction or order has been made, or before a judge or other officer, as may be prescribed by such rule of court, or to have made a deposit to be prescribed in like manner, with a condition to prosecute such writ of *certiorari* at his own costs, and charges with effect without any wilful or affected delay, and, if ordered

so to do, to pay to the person in whose favour the conviction order or other proceeding is affirmed his full costs and charges to be taxed according to the course of the court where such conviction order or proceeding is affirmed. Crim. Code
Can. s. 892.

4. Until any such rule shall be passed under the preceding section, the rule passed by the High Court of Justice for Ontario on the 17th day of November, 1886, shall be applicable to all motions to quash any conviction order or proceeding in the preceding section mentioned. Rule at
present in
force.

5. The Act of the Parliament of the United Kingdom passed in the fifth year of the reign of His Majesty King George the Second and chaptered nineteen, in so far as it is in force in this Province by virtue of any statute of this Province, is hereby repealed. 5 Geo. II., c.
19 not to be
in force.

CHAPTER 14.

An Act to amend The Trustee Investment Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :

Subsection 1 of section 5 of *The Trustee Investment Act* as amended by section 32 of 62 Victoria (2) Chapter 11 is amended by striking out the figures "25" in the tenth line of clause (a) and substituting therefor the figure "7" and by striking out the figures "\$500,000" in the seventh line of the said clause and substituting therefor the figures "\$400,000." Rev. Stat.
cap. 130, s. 5
subs. 1,
amended

CHAPTER 15.

An Act to amend The Registry Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat. c. 136 amended. **1.** *The Registry Act* is amended by adding thereto the following section:—

Registrar to provide for vaults etc., when directed by inspector.

139a. Except wherein this Act it is otherwise specially provided the inspector may in writing authorize the registrar, under the direction of an architect to be named by the inspector, to expend in providing fire-proof or metal fittings for the vault of the registry office or in providing for the proper heating and ventilation of the vault so much as may be deemed by the inspector to be necessary of the proportion of the fees to which the county or city may then or thereafter be entitled under sections 129 and 130 hereof, and the amount so expended, including the architect's charge, shall be certified by the architect, and his certificate or a duplicate thereof shall be transmitted by the registrar to the treasurer of the county or city, and shall be a discharge to the registrar in the premises to the amount so certified, as against the proportion of the fees then payable or to become thereafter payable as aforesaid.

Rev. Stat. c. 136 s. 111 amended. **2.** Section 111 of *The Registry Act* is amended by adding thereto the following sub-section:

Contribution by Crown to sub-dividing and surveying blocks.

(6) Where the land proposed to be subdivided by plan under the preceding sub-section comprises a block or tract of land containing 5,000 acres or upwards, and where such block or tract of land was granted by the Crown without being subdivided into lots, the inspector may cause the Attorney-General to be notified of the application under the preceding sub-section, and the Attorney-General, on behalf of the Crown, may either submit that the Crown shall pay or contribute such proportion of the costs and expenses in the preceding sub-section mentioned as the judge may determine under all circumstances to be reasonable, or the Attorney-General may consent, on behalf of the Crown, that the Crown shall pay and contribute a definite proportion of such costs and expenses, such proportion to be fixed by the Attorney-General, and it shall in either of such cases be lawful for the judge by his order

order to direct by what person, corporation or municipality the remainder of such costs and expenses shall be borne, and any such order may be entered and filed and may be enforced as against such person, corporation or municipality in respect of the said remainder of such costs and expenses in the same manner as the order provided for in the next preceding sub-section.

3. Section 9 of *The Registry Act* is amended by inserting after the word "repair" in the seventh line thereof the words "and sufficiently ventilated to protect the health of the officers engaged therein in that respect."

CHAPTER 16.

An Act to amend The Land Titles Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Section 121 of *The Land Titles Act* is amended by adding thereto the following sub-sections :—

Rev. Stat.
c. 138, s. 121
amended.

(2). Upon the conviction under this Act, or under the Criminal Law of Canada, of any person for an offence whereby such person fraudulently procured an entry on the register by reason of which any person other than the rightful owner has become the registered owner of land, or by reason of which land under this Act has been wrongfully encumbered, the Master shall have power on the application of the rightful owner to cancel such wrongful entry and to enter the said rightful owner as the registered owner of the land.

Cancellation
of fraudulent
entries.

(3). In case while the said wrongful entry was subsisting on the register any innocent party has been registered as the owner of any charge upon, or any estate, right or interest in the said land, the Master, instead of cancelling the wrongful entry

Where land
has been trans-
ferred to inno-
cent holder.

entry may make an entry in the register stating the fact of the said conviction and revesting the land in the rightful owner subject to such charge, estate, right or interest, and the said land shall thereupon be vested in the person named in such last mentioned entry in accordance with the terms of the said entry.

Amendment
to be retro-
spective.

(4) The two preceeding sub-sections shall apply to past as well as future cases.

Rev. Stat.
c. 138, sec. 71
amended.

2. Section 71 of *The Land Titles Act* is amended by adding thereto the following as sub-section 5 thereof :

Entry of per-
sons taking by
transmission
from unregis-
tered owner.

(5) The master may in like manner enter as owner of land or of a charge any person who is entitled to such land or charge through the death of the owner, although the deceased had not been registered as owner, or any person who becomes entitled by virtue of the exercise of any power conferred by a statute, will, deed, or other instrument, whether the person so entitled claims directly from the deceased or directly under the power, or through any other person entitled by virtue of the said death or power or through a succession of transfers or transmissions. This sub-section shall apply to cases where the beneficial title to the land has heretofore passed out of the registered owner as well as to cases arising hereafter.

Rev. Stat.
c. 138, s. 169,
application of
section.

3. Section 169 of the said Act shall not apply to land covered with the waters of Lake Superior adjacent to the Great Manitoulin Island, Cockburn Island or Fitzwilliam Island in the District of Manitoulin, or adjacent to any island which in whole or in part lies between headland and headland around the said three islands. This section shall apply to patents which have already been issued or which may hereafter be issued

CHAPTER 17.

An Act amending The Saw Logs Driving Act

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 17 of *The Saw Logs Driving Act* is amended by adding the following sub-section thereto:—

Rev. Stat.
c. 143 s.17
amended.

“(4) If at the time of the service of the notice the major portion of the logs have been cut into lumber or have been sold or removed from the last county or district in which they were driven and the person notified does not within the ten days appoint an arbitrator, the Chief Justice of any of the divisions of the High Court of Justice shall on the application of the person giving the notice appoint a second arbitrator, and if the two arbitrators do not within the said period of ten days appoint a third, any such Chief Justice shall on the application of either party appoint the third abitrator.”

Where logs
have been cut
into lumber or
sold.

2. Section 27 of the said Act is amended by adding the following words:—

Rev. Stat.
c. 143 s.27

“Provided, however, that in the event of such claims arising between the same parties in two successive seasons then the same shall be so made within one year after the last of such claims has arisen.”

When claims
to be made.

3. Sections 18, 19, 21, and 26 of the said Act are amended by inserting therein after the word “magistrate” wherever it occurs in the said sections the words “or Chief Justice.”

Rev. Stat.
c. 143, ss. 18,
19, 21, 26,
amended.

4. Nothing in this Act contained shall apply to or affect any claim which has arisen prior to the passing hereof.

Pending
claims not
affected.

CHAPTER 18.

An Act amending The Ontario Companies Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 191, ss. 40,
47, amended.

1. Section 40 of *The Ontario Companies Act*, is amended by adding thereto the following words: "Unless by the special Act or the letters patent or by supplementary letters patent the company is authorized to hold its meetings without the Province.

Rev. Stat.
c. 191, s. 82,
amended.

2. Section 82 of the said Act is amended by adding thereto the following, viz.:

Proviso.

Provided always that if the special Act, or the Letters Patent, or Supplementary Letters Patent, authorize such purchase, it shall not be necessary to pass such by-law.

63 V. c. 23,
s. 1 repealed.

3. Section 1 of chapter 23 of the Acts passed in the sixty-third year of the reign of Her late Majesty Queen Victoria is repealed, and the following section substituted therefor:

Failure to
make annual
return.

Sub-section (a) of section 10 of *The Ontario Companies' Act* is amended by adding thereto the following proviso: "And further provided that the name of a company which has not made for three consecutive years the annual summary and statement of its affairs prescribed by this Act, may be given in whole or in part to a new company, unless the defaulting company after three weeks' notice by the Provincial Secretary, addressed by registered letter to the company at its head office, and to the president and secretary of the company, as shown by its last return, proves to the satisfaction of the Lieutenant-Governor in Council that it is still a valid and subsisting corporation: Provided, however, that if, at the end of one month from the date of such notice, the Provincial Secretary shall have received from the company or its president or secretary as aforesaid, no response to such notice, the company may be deemed by him to be not a valid and subsisting corporation, and therefore no longer entitled to the sole use of its corporate name."

Fees payable
by extra-pro-
vincial corpo-
rations.

4. The fees payable by Extra-Provincial Corporations com-
ing

ing within class III. of section 2 of chapter 24 of the Acts passed in the 63rd year of the reign of Her late Majesty Queen Victoria, intituled *An Act respecting the licensing of Extra-Provincial Corporations*, for fying the annual statement or return required of such corporations shall be as follows, viz., \$5 if the capital stock of the company does not exceed \$100,000, and \$10 if it does exceed \$100,000.

CHAPTER 19.

An Act to amend "An Act respecting the licensing of Extra Provincial Corporations."

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) Section 2 of chapter 24 of the Acts passed in the 63rd ^{63 V. c. 24.} year of the reign of Her late Majesty Queen Victoria, is ^{s. 2 amended.} amended by adding at the end of the clause commencing with the words "Class V," therein, the words "or by chapter 31 of "the said statutes for 1899, intituled '*An Act respecting "Brewers' and Distillers' and other Licenses.*'"

(2) The amendment made by this section shall take effect as if it originally formed part of the said clause.

2. Section 6 of the said Act chaptered 24 is amended by strik- ^{63 V. c. 24,} ing out of the third line of the first proviso thereof the word ^{s. 6 amended.} "and" and substituting therefor the word "or."

3. Section 7 of the said Act is amended by adding thereto ^{63 V. c. 24,} the following, proviso—"Provided always that no limita- ^{s. 7 amended.} tions or conditions shall be included in any [such license "which would limit the rights of a corporation coming within "Class VII or Class VIII, to carry on in Ontario all such parts ^{Proviso.} "of its business, and to exercise in Ontario all such parts of "its powers as by its Act or charter of incorporation it may be "authorized to carry on and exercise therein."

CHAPTER 20.

An Act to amend The General Road Companies' Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.
c. 193, s. 84,
sub-s. 1,
amended.

1. Sub-section 1 of section 84 of *The General Road Companies' Act* is amended by adding thereto the following:—
“or if the said freeholders who signed the requisition dispute the correctness of the engineer's report or the adequacy of the repairs required to be done, they may within fifteen days after the service of the notice by the engineer make application in like manner to the Provincial Instructor in Road-making.”

Rev. Stat.
c. 193, s. 84,
sub-s. 2,
amended.

2. Sub-section 2 of section 84 of the said Act is amended by inserting after the word “council” in the fourth line thereof the words “and the said freeholders.”

Rev. Stat.
c. 193, s. 84,
sub-s. 3,
amended.

3. Sub-section 3 of section 84 of the said Act is amended by striking out of the fifth line thereof all after the word “reported” and inserting therein the words “upon, is or is not out of repair.”

Rev. Stat.
c. 193, s. 84,
sub-s. 4,
amended.

4. Sub-section 4 of section 84 of the said Act is amended by striking out the word “so” in the second line thereof and by striking out the words “as certified by the engineer,” in the same line.

Rev. Stat.
c. 193, s. 84,
amended.

5. Section 84 of the said Act is amended by adding thereto as sub-section 7, the following:—

Notice of
report to be
given to com-
plainants.

(7) The engineer in addition to all other notices and reports required by this Act shall furnish the clerk of the municipality with a copy of his report and the said clerk shall forthwith give notice thereof to the freeholders who signed the requisition as hereinbefore provided for.

CHAPTER 21.

An Act to amend The Ontario Insurance Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :—

1.—(1) Subsection 1 of section 2 of *The Ontario Insurance Act* is amended by inserting in the first line after the word “expenses” these words, “and all fees, allowances.”

Rev. Stat.
c. 203, s. 2,
subs. 1
amended.

(2) Subsection 5 of the said section 2 is amended by inserting in the sixth line of the said subsection after the word “creditor” these words, “in a winding up or liquidation under this Act.” The said subsection is further amended by adding at the end thereof the following words :—

Rev. Stat.
c. 203, s. 2,
subs. 5
amended.

“Provided (a) That in such winding up or liquidation no beneficiary under an unmaturred policy (not being also the policyholder, or a beneficiary for value), shall be entitled to rank as creditor or to claim in respect of such policy.

Proviso (a)
beneficiary
under unma-
tured policy
not a credi-
tor.

“Provided also (b), That, in a friendly society registered as such under this Act, no unmaturred policy or contract of insurance shall create any claim or liability against the society, while a going society, or against the estate of the society in a winding up or liquidation under this Act; but in such a winding up or liquidation the person assured or the beneficiary for value under such unmaturred policy or contract shall be entitled to share in the surplus assets of the society as provided in sub-section 4 of section 183 hereof, or sub-section 5 of section 191 hereof, as the case may be.”

Proviso (b)
unmaturred
policies not to
create liability
against
Friendly
Society.

“Provided also (c), That in the case of any insurance corporation (other than a registered friendly society) where the corporation is licensed under section 53 hereof or is being wound up hereunder, every contract of annuity upon life and every unmaturred policy or contract of life (including endowment or tontine) insurance required to be valued from time to time for a true showing of the corporation’s liabilities, or intitled to be valued in a winding up hereunder shall be valued in the manner provided by schedule F hereto.”

Proviso (c)
Mode of
valuing
policies re-
quired or en-
titled to be
valued.

(3) Clause (e) of sub-section 41 of the said section 2 is amended by inserting in the second line after the word “expectancy” these words “or expectation or probability.”

Rev. Stat.
c. 203, s. 2,
subs. 41, cl. e
amended.

Rev. Stat.
c. 203, s. 2,
subs. 47
amended.

(4) Sub-section 47 of the said section 2 is amended by adding at the end thereof these words: "and the word 'unmatured' designates a contract as before such maturity."

Rev. Stat.
c. 203, s. 2,
subs. 55
amended.

(5) Sub section 55 of the said section 2 is amended by adding at the end thereof these words:—

"Unearned
premium."

"'Unearned premium' is that part of the last prepaid premium which is repayable to the assured where, between two premium days, the policy or contract of insurance has been terminated by the act of the insurer, or by a winding up or liquidation hereunder. The part so repayable shall be proportionate to the unexpired part of the year or other definite and certain period in respect of which the said premium was prepaid; provided that no person shall be entitled both to have a policy valued and also to claim for such unearned premium.

"'Premium
or 'net pre-
mium' or
'pure pre-
mium' in
valuation of
policy."

"For purposes of valuing any policy or contract of life insurance required or entitled to be valued under this Act 'premium' or 'net premium' or 'pure premium' has the same meaning as the word 'premium' in the fourth clause of Schedule F hereto."

The five
preceding
sub-sections
are declara-
tory.

(6) The five preceding sub-sections of this section are to be deemed and construed to declare the law of the Province as the said law existed on, and has existed since, the fourteenth day of April, 1892.

Rev. Stat.
c. 203, s. 41,
subs. 5
amended.

2. (1) Subsection 5 of section 41 of *The Ontario Insurance Act* is amended by substituting in the seventh line the words "one-tenth" for the words "one-fifth."

Rev. Stat.
c. 203, s. 43,
amended.
subs. 1

(2) Sub-section 1 of section 43 of the said Act is amended by adding at the end of the said sub-section the following words:—

"Proviso."

"*Provided*, that sections 44 to 52 inclusive shall not apply to registered friendly societies; provided also, that in the case of a registered friendly society any deposit made under this Act shall not make any unmatured policy or contract of insurance a liability against the society while a going society, or against the estate of the society in a winding up or liquidation under this Act; but in such winding up or liquidation the persons assured under such unmatured policies or contracts shall be entitled to share in the surplus assets of the society as provided in sub-section 4 of section 183 hereof or sub-section 5 of section 191 hereof, as the case may be."

Rev. Stat.
c. 203, s. 148
subs. 2
amended.
"Proviso."

(3) Sub-section 2 of section 148 of the said Act is amended by adding at the end thereof these words:—

"Provided that no such action or proceeding shall be commenced after the expiration of the said year and six months."

Rev. Stat.
c. 149, subs. 2
amended.

(4) Sub-section 2 of section 149 of the said Act is amended by adding at the end thereof the following words:—

"To

"To facilitate the use of the H^m tables of the said Institute of Actuaries for any purpose of this Act the said tables may be taken as they appear in any published edition or collection of standard actuarial or valuation tables."

(5) Subsection 3 of section 151 of the said Act is amended by inserting after the word "value" in the eleventh line these words: "but a beneficiary shall only be deemed a beneficiary for value when he is expressly stated to be so in the policy." Rev. Stat.
s. 151, subs. 3
amended.

6) Subsection 2 of section 160 of the said Act is amended by adding at the end of the subsection these words: "But no beneficiary shall be deemed to be a beneficiary for value unless in the policy expressly stated to be so." Rev. Stat.
c. 203,
s. 160, subs. 2
amended.

(7) Subsection 6 of section 151 of the said Act is amended by striking out all the words of the said subsection after the words "assured" in the sixth line, and by substituting therefor the following words: "The insurance shall be for the benefit in equal shares of the surviving infant children of the assured, and if no surviving infant children, then the benefit of the contract and the insurance money shall form part of the estate of the assured." Rev. Stat.
c. 203,
s. 151, subs. 6
amended.

(8) Subsection 4 of section 155 of the said Act is amended by adding at the end of the said subsection the following words: "In ascertaining the fees payable under this subsection the wearing apparel and similar personal effects of the assured shall not be deemed part of the estate of the assured." Rev. Stat.
c. 203, s. 155,
subs. 4
amended.

(9) Subsection 4 of section 191 of the said Act is amended by inserting, after the words "expiry of the term" in the eighteenth line the following words: Rev. Stat.
c. 203, s. 191
subs. 4
amended.

"In the case of annuities on lives or of unmaturing policies of life insurance, (including therein endowment and tontine insurance) any annuity or such unmaturing policy issued by a corporation licensed under section 53 hereof, shall if valid and subsisting at the commencement of the winding up, be entitled to rank on the said second Schedule for the value ascertained according to the Schedule F. hereto; in the case of all other unmaturing policies issued by any corporation which is being wound up hereunder, the policy if valid and subsisting at the commencement of winding up shall be entitled to rank on the said second Schedule for the unearned premium (if any) as provided in subsection 55 of section 2 hereof. On the distribution of the assets of the estate the distributive sum payable in respect of any annuity or unmaturing policy shall be paid respectively to the annuitant or to the policyholder (or the beneficiary for value if any) or to their respective assigns."

3. (1). Section 192 of *The Ontario Insurance Act* is amended by inserting after subsection 1 a new subsection (to be numbered 1A) as follows:— Rev. Stat.
c. 203, s. 192
amended.

1A. Where in any winding up or liquidation under this Act the "Payment into Court
the

where liability is admitted but the person entitled is in dispute." Cf. Imp. Act, 59 V. c. 8, secs. 3, 4.

the liability of the estate is admitted, but the person to whom the estate is liable is disputed or uncertain, or where in the opinion of the Insurance Registrar no sufficient discharge to the estate for the liability can be had, the amount of the liability (or as the case may be) of the dividends payable on the liability shall be paid into Court, or set aside out of the funds already in Court, and shall in the books of the Accountant of the Supreme Court of Judicature be entered as to the credit of claim arising under Policy No. . . . of the corporation, or as the case may be ; and for such payment into Court or setting aside out of the funds already in Court the Master shall have authority to make any order or direction that is necessary. The receipt or certificate of the said Accountant shall be a sufficient discharge to the estate and the receiver for the moneys so paid into court or set aside. For the payment out of court of such moneys any person claiming to be entitled thereto may make before a Judge of the High Court a motion entitled as in the matter of this Act and of Policy No. . . . of the corporation (or according to circumstances) and the Judge shall make such order or such disposition of the matter as the case shall require ; but the estate or the receiver shall not be a necessary party to any such motion or to any proceedings relating to the disposal of the said moneys."

Rev. Stat. c. 203, s. 193 subs. 1 amended.

(2) Sub-section 1 of section 193 of the said Act is amended by striking out all the words of the said sub-section after the word "situate" in the eighth line down to and including the words "day of filing" in the tenth line, and by substituting therefor the following words:—"And in two of the daily newspapers published in the city of Toronto the receiver shall give notice of the date of filing; the receiver shall also forthwith serve a copy of the report on the Insurance Registrar bearing indorsed thereon notice of the said date of filing."

Rev. Stat. s. 193, subs. 2 amended.

(3) Sub-section 2 of the said section 193 is amended by striking out all the words of the said sub-section down to and including the word "Court" in the third line, and by substituting therefor the following words:—" (2) At the expiration of fourteen days from the date of serving such indorsed copy of the report on the Insurance Registrar the report shall become absolute unless notice of appeal by any party interested is served within that time, and "

Rev. Stat. s. 193, subs. 3 amended.

(4) Sub-section 3 of the said section 193 is amended by inserting after the word "Registrar" in the first and the seventh lines respectively, these words "or their respective assigns."

Rev. Stat. s. 194 amended.

(5) Section 194 is amended by adding thereto sub-section 6 as follows :

Proceedings against inspector not to be taken without fiat.

"(6) Without a fiat of the Attorney-General being first had and obtained for the purpose, no action or proceeding in any Court of law or equity shall be brought or taken against the Insurance Registrar (including Inspector of Insurance and Registrar of Friendly Societies) for anything done or not done

in

in the performance, or intended or supposed performance, of his duty under this Act or under any other Act that imposes duties upon the said officer."

4. Sub-section 1 of section 92 of *The Ontario Insurance Act* is hereby repealed and the following sub-section is substituted therefor: Rev. Stat.
s. 92, subs. 1
repealed.

92. (1) The surplus insurance funds of a Provincial insurance corporation, or of a branch or lodge thereof shall in the name of the corporation, branch or lodge be loaned upon or invested in securities which are a first charge on land held in fee simple or shall be invested in the public stock, funds or Government securities of the Dominion of Canada or of any Province of Canada, or in securities guaranteed by either the said Dominion or Province, or in the public stock, funds or Government securities of the United Kingdom, or (such securities being in other respects reasonable and proper) in terminating debentures of any municipal corporation in the Dominion of Canada, or in the terminating debentures of any society or company incorporated under *The Act respecting Building Societies* or any Act of the Province consolidating the said Act, or any society or company incorporated or constituted under *The Loan Corporations Act*, or in terminating debentures of any society, or company in which, under the law of the Province, trustees may invest trust funds; or in the terminating debentures of incorporated companies which have, in the Dominion of Canada, been for at least five consecutive years actually supplying gas, water, heat, light, power, or electricity to the public or to any municipal corporation; or terminating debentures of steam or electric railway companies, or of street railway companies (by whatever power operated), or of telegraph or telephone companies, but so that the loan or loans upon the security of, or the purchase or investment in the debentures of any of the societies or companies mentioned in the present subsection shall not in the aggregate exceed one-fifth of the paid-up capital of the society or company issuing such debentures; or the said surplus insurance funds shall remain deposited (whether with or without interest) in the name of the corporation in a post-office savings bank or in any chartered bank of Canada, or in any building society or loan company in Ontario by any Act of Ontario, or of the Dominion of Canada duly authorized to receive deposits. Investment
of surplus.

SCHEDULE F.—(R.S.O. 1897, c. 203, s. 2 (5)).

RULE FOR VALUING AN ANNUITY.

(1). An annuity required or entitled to be valued under *The Ontario Insurance Act* shall (irrespective of the state of the health of the annuitant or nominee) be valued according to the table known as the Hm table of the Institute of Actuaries of Great

Great Britain, interest being reckoned at the rate of four per centum per annum, and the age of the life being taken as at the nearest birthday.

RULE FOR VALUING A POLICY OR CONTRACT OF LIFE INSURANCE

(2). The value of a policy or contract of life insurance required or entitled to be valued under *The Ontario Insurance Act* is (irrespectively of the state of health of the assured or policy-holder) the difference between the present value of the reversion in the sum insured, (including any bonus or addition thereto made before the commencement of the winding up), and the present value of the future net annual premiums.

(3). Such present value shall be computed according to both the tables and the rate of interest mentioned in sub-section 2, of section 149, of *The Ontario Insurance Act*.

(4). The premium to be calculated is such net or pure premium as according to the said tables, and said rate of interest is sufficient to provide for the risk incurred by the insurer in issuing the policy or contract exclusive of any loading or addition for office expenses and other charges.

(5). The present value of the reversion at any age is the net single premium that, according to the said tables and said rate of interest, is equivalent to the present value of the net annual premium payable at that age and so long thereafter as required by the policy or contract.

CHAPTER 22.

An Act respecting aid to Certain Railways.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. There shall be granted out of the consolidated revenue fund for the construction of the portions of railways hereinafter mentioned, the sums following, that is to say :

- (1) To the Bracebridge and Trading Lake Railway, from the Town of Bracebridge to a point in the Township of McLean, at or near the Incorporated Village of Baysville, in the District of Muskoka, a distance not exceeding sixteen miles, a cash subsidy of \$3,000 a mile—\$48,000. Bracebridge and Trading Lake Ry. Co.
- (2) To the Bruce Mines and Algoma Railway, from a point at or near the Village of Bruce Mines to a point at or near Rock Lake copper mines, in the District of Algoma, a distance not exceeding 13 miles, a cash subsidy of \$3,000 a mile—\$39,000. Bruce Mines and Algoma Ry.
- (3) To a railway from at or near Bolton Creek in the Township of Oso, to the iron mines in the Township of Lanark, a distance not exceeding 25 miles, a cash subsidy of \$3,000 a mile—\$75,000. Railway from Bolton Creek to Lanark iron mines.
- (4) To the Norwood and Apsley Railway from the Village of Norwood, on the Canadian Pacific Railway, to a point at or near the Village of Apsley in the Township of Anstruther in the County of Peterborough, a distance not exceeding 25 miles, a cash subsidy not exceeding \$3,000 a mile—\$75,000. Norwood and Apsley Ry.
- (5) To the Thunder Bay, Nepigon and St. Joe Railway Company from the Town of Port Arthur in a north-easterly Thunder Bay, Nepigon and St. Joe Ry.

easterly direction towards Lake Nepigon, in the District of Algoma, a distance not exceeding 30 miles, a cash subsidy of \$2,000 a mile in addition to a land grant of 5,000 acres per mile.

- (6) To a railway to connect the Town of Burk's Falls with the navigable waters of the Magnetawan, \$10,000.

Information to be furnished by companies.

2. Each of the said companies shall furnish such information as to the location and plans of passenger and freight stations on the line of its railway as may from time to time be required by the Commissioner of Public Works, and in every case payment of the said subsidies, shall be subject to compliance with such directions as may be given by the Commissioner of Public Works from time to time for the erection of stations, the number of the same, and the intervals at which the stoppages shall be made at such stations for the accommodation of the public.

Companies to comply with regulations.

3. Every company to which aid is granted by this Act shall comply with such regulations as may from time to time be made by the Lieutenant-Governor in Council for the protection from fire of the woods and forests adjoining the line of railway, and shall also adopt the latest appliances which are in use for the said purpose.

Lapse of subsidies not earned in five years.

4. So much of the subsidies granted to each of the said railways as is not earned within five years from the time of the passing of this Act shall lapse and revert to the Consolidated Revenue Fund of the Province.

Use of Canadian rolling stock, etc.

5. The subsidies hereby granted shall be subject to the condition that the companies to which the same are granted shall, as far as practicable, construct, equip and operate their lines of railway, with railway supplies, rails and rolling stock of Canadian manufacture, whenever such railway supplies rails and rolling stock can be procured as cheaply and upon as good terms in Canada as elsewhere, having regard to quality and price among other things, and unless the Lieutenant-Governor in Council shall approve of the same being procured elsewhere.

Use of rails of Ontario manufacture.

6. No cash subsidy or land grant, granted at the present session of the Legislature or heretofore or hereafter granted to any railway company by any Act of this Legislature shall be deemed to be earned nor shall the same be paid, granted or conveyed, unless the rails used in the construction of the railway or any part thereof hereafter constructed to which such subsidy or land grant applies, shall have been manufactured in Ontario, provided that the rails necessary for such construction

were

were procurable in Ontario, or if not procurable in Ontario, then elsewhere in the Dominion of Canada, at a price not greater than the open market price in Great Britain or the United States of America for rails of similar make and quality, with the current freight rates from the place of shipment in Great Britain or the United States to the place where required in Ontario added thereto.

7. The grants aforesaid are made subject to the condition that the company aided shall not amalgamate with any other company or lease or transfer the railway or its franchises, or make pooling arrangements as to rates for freight or other charges, or adopt any method for placing such railways under the management or control, in whole or in part, of any other railway or railways in any manner whatsoever, without the sanction of the Lieutenant-Governor in Council first had and obtained.

Companies not to amalgamate, etc., without sanction of Lieutenant-Governor.

8. The workmen, laborers, or servants employed in or about the construction of the said railway and each of them shall be charged fair and reasonable prices for any board, provisions, clothing and other necessities of life, and reasonable comfort supplied by the company, their agents or any person or persons authorized by the said company to supply such goods and accommodation; and upon the breach of any of the provisions of this section or in the event of exorbitant charges being made by the railway company, their agents or other person or persons authorized by the railway company, there may be deducted and retained from moneys payable in respect of such unearned subsidy or hereafter to be granted subsidy, such amount as the Lieutenant-Governor in Council may think proper.

Conditions as workmen.

9. Suitable culverts and openings shall be made in water-courses and at other points where necessary, to provide for the proper flow of surface water from adjacent lands; and wherever, under any Provincial Acts for the draining of farm lands it is found necessary to construct a culvert or deepen or enlarge a culvert already made, the said railway companies, and each of them, shall as a condition upon which such subsidy is granted, with the approval of the Lieutenant Governor in Council, be considered as "owner" of lands under the provisions of the "*Ditches and Watercourses Act*" and "*An Act Respecting the Construction of Drains.*"

Drainage.

10. Before any subsidy so granted is paid an attested statement signed by the president of the railway company aided shall be filed with the Commissioner of Public Works showing the cost in detail of each ten-mile section of roadbed, including the cost of land, fencing, grading, ballasting, rails, ties, culverts,

Particulars of cost of construction.

culverts, bridges and all material and labour and expert services in connection therewith, and the said company shall, when required, produce and exhibit to the Commissioner of Public Works or any person appointed by him, all books, accounts and vouchers, showing the cost of constructing the railway and the cost of operating it, with the earnings thereof.

Government
acquiring lines
aided.

11. The Lieutenant-Governor in Council shall at any time hereafter on behalf of the Province have the right to acquire any of the said railways by arbitration or otherwise, or to expropriate any such railway, and in such case the subsidy hereinbefore granted to the railway so acquired, together with any subsidy granted the said railway by the Parliament of Canada, shall be deemed part payment of the amount fixed as the price to be paid for the railway by the Province.

Sanitary regu-
lations at
works and
camp.

12. The Lieutenant-Governor in Council may instruct the Secretary of the Provincial Board of Health to enforce such reasonable sanitary regulations on the works and in the camps connected therewith during the construction of any of the said railways as may be deemed necessary to maintain proper sanitary conditions and accommodation, and contractors shall have at each camp a tent and stove where in case of emergency a patient suffering from a contagious disease may be isolated at once so as not to endanger the men in the camp.

Secret rates.

13. In addition to the provisions of *The Railway Act* with respect to tolls, to be taken or levied by the said companies, it is hereby enacted that there shall be no secret special rates, rebates, draw-backs or concessions to favoured shippers nor any act or thing that will affect or prevent free competition in any line or lines of trade.

Right of Pro-
vince to
expropriate
lines.

14. The right is hereby expressly reserved to the Province at any time after the expiration of ten years, to expropriate and take over any or all of the railways hereby aided.

Carrying
road-making
material.

15. Each of the said railways shall be obliged, upon the request of any township or county municipality through which the road passes, to carry roadmaking material, gravel or stone, required for improving any of the roads within such municipality, at the actual cost of handling and carriage.

Cancellation
of grants
made to Man-
itoulin and
North Shore
Ry. Co.

16. All grants heretofore made by any Act of the Province of Ontario in aid of the Manitoulin and North Shore Railway are hereby cancelled and the same shall lapse and revert to the Consolidated Revenue Fund of the Province.

17. All the provisions of section 2 of chapter 35 of the Acts passed in the 52nd year of the reign of Her late Majesty Queen Victoria respecting the option of substituting half yearly payments for forty years in lieu of a cash payment, and all the conditions provided by section 3 of the said Act, shall apply to the grants hereby made and to the grants made by the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 29.

Application of provisions as to payment of grants in scrip.

18. All the provisions of *The Act to Secure Payment of Wages for Labour Performed in the Construction of Public Works*, of *The Act respecting Subsidies to Railways and to encourage the Manufacture of Railway Steel and Iron in the Province*, and of *The Ontario Railway Act*, shall apply to the subsidies granted by this Act and the wages paid on any of the said works shall be such as are generally accepted as current for competent workmen in the respective districts where such railways are to be constructed.

Application of Rev. Stat. c. 155, etc.

CHAPTER 23.

An Act respecting Aid by Land Grant to the Manitoulin and North Shore Railway Company.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Manitoulin and North Shore Railway Company, hereinafter called the "Company," has been duly incorporated by the Parliament of Canada and is empowered to construct a line of railway from Little Current northward 100 miles, and a branch line from a point on the said line of railway to Sudbury, and also from Little Current thence south-easterly to a point on the south shore of Fitzwilliam Island, and from a point near Tobermory thence south and easterly to Meaford, passing through or near Wiarton and Owen Sound; and whereas the said line of railway will furnish much needed railway facilities for Manitoulin Island, and important portions of the Districts of Algoma and Nipissing; and whereas the said line of railway will aid materially in developing the resources of the said Districts and in securing to the Province the benefits arising from the extensive development operations which are to be carried on in the said districts; and whereas the said line of railway will furnish new and direct means of communication between the older settled part of the Province of Ontario and that part of the Province commonly referred to as New Ontario and with Manitoba and the North-West Territories, and whereas it is intended that running powers over the said railway shall be reserved and given to all other railway companies connecting with the said railway so as to afford facilities for the development of trade between the older settled part of the Province and the country through which the said railway is to be constructed,—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Acreage per
mile to be set
apart.

1. The Lieutenant-Governor-in-Council may set apart out of the ungranted lands of Ontario and within the District of Algoma and grant as subsidies to the company—10,000 acres of land per mile of the company's line of railway from Meaford to Owen Sound, a distance of 21 miles.

10,000

10,000 acres of land per mile of said line of railway from Wiarton, passing through the Town of Little Current, in the District of Manitoulin, to White Fish River, in the District of Algoma, but not including 15 miles of water communication, a distance of 105 miles of railway or thereabouts;

10,000 acres of land per mile for the company's steel car ferry line from Tobermory or some other suitable harbour on the north shore of the County of Bruce to Fitzwilliam Island or to the south-east shore of Manitoulin Island, a distance of 15 miles or thereabouts;

7,400 acres of land per mile of said line of railway from White Fish River to Onaping Station on the Canadian Pacific Railway line, a distance of 45 miles or thereabouts;

7,400 acres of land per mile of said line of railway from a point on the said railway at or near the south east corner of the Township of Trill, to Sudbury, a distance of 30 miles or thereabouts; and

7,400 acres of land per mile of the said line of railway from the said point at or near the south east corner of the Township of Trill to a point 130 miles westerly towards Michipicoten or Batchewana Bay.

2. The said lands shall be set apart in alternate blocks of one or more not exceeding three townships of six miles square within a distance of eighteen miles of the Company's railway or any extension or branches thereof, or within eighteen miles of the main line of the Canadian Pacific Railway between Onaping Station and Chapleau Station, or within eighteen miles of any other line of railway within the said district connecting with the Manitoulin and North Shore Railway, or in such other localities within the District of Algoma as may be designated by the Lieutenant-Governor in Council. Each township or block shall contain as nearly as may be 23,040 acres or multiples thereof, but not exceeding 69,120 acres, subject to such modifications as may be necessary for purposes of survey or other purposes required by the Commissioner of Crown Lands.

Mode of
selecting
lands.

3. None of such lands between the main line and the Sault Ste. Marie branch of the Canadian Pacific Railway shall be so set apart east of the Township of Trill or of its eastern boundary produced due north and south.

Eastern
boundary of
lands to be
set apart.

4. The location of the lines of the company's railway for the construction of which the said subsidies are granted shall be subject to the approval of the Commissioner of Public Works, having regard to the feasibility of the route and engineering difficulties of construction.

Location of
line, etc., to
be subject to
approval.

Survey of
granted lands

5. The unsurveyed lands to be granted shall be surveyed by the company, and the plans and field notes thereof filed in the Department of Crown Lands, and such work shall be done at the company's own expense; the surveys shall be in accordance with the system of surveys prescribed for the crown lands on the north shores of lakes Huron and Superior and shall be subject to the inspection and approval of the Commissioner of Crown Lands.

When grants
to be made.

6. Upon the construction and completion of any section of the railway not less than ten miles in length, so as to admit the regular running of trains thereon, and upon the furnishing such equipment therefor as shall be required for traffic, the Lieutenant-Governor in Council, upon the request of the company shall grant to the company the lands applicable to such section according to the appropriation thereof made as hereinbefore provided, but subject to the provisions of this Act.

What to be
included in
grant.

7.—(1) The lands hereinbefore set forth to be granted to the company shall be granted in fee simple, and such grant shall include all ores, mines and minerals, base and precious, and all powers, rights and privileges appertaining thereto, excepting those hereinafter expressly reserved.

(2) The lands granted to the company shall be subject to all the provisions of *The Mines Act*, and to all regulations made or to be made thereunder, saving and excepting Parts II. and III. thereof.

Pine reserved.

(3) All red and white pine timber on lands granted to the company shall be reserved to the Crown and be the property of His Majesty, and the same may be placed under timber license to licensees of the Crown, as provided by the Regulations of the Crown Lands Department; and the right may be granted by the Crown to enter upon the said lands, make roads thereon and do all things necessary for the removal of the said pine timber.

Rights of set-
tlers in select-
ed lands as to
timber.

(4) Where said lands shall have been duly and legally sold by the company or settled upon, the purchasers or settlers thereof or thereon shall have the right to cut and use such pine timber as they may require for mining purposes or for building and fencing on the land on which they are settled, and may also cut and dispose of all pine trees required to be removed in the actual clearing of such land for agricultural or mining purposes, but no pine tree (except for the purposes aforesaid) shall be cut beyond the limit of such actual clearing, and pine trees cut in the process of clearing and disposed of shall be subject to the payment of the same dues as are at the time payable by the holders of licenses to cut timber or saw logs, but townships valuable for pine shall not be opened by the company for settlement without the consent of the Commissioner of Crown Lands.

(5) In case any portion of the said blocks of land laid out for the company are found to contain only scattered pine timber so that in the opinion of the Commissioner of Crown Lands such pine is not of sufficient value to justify its being put up for sale, the company shall have the right with the approval of the Commissioner to cut the timber on such lands, but shall pay in respect thereof the same dues as are payable by Crown timber licensees.

When block includes scattered lands.

8.—(1) Where a block of land allotted to the company includes within its limits lands located or claimed by settlers or others having any right or interest therein under any Act of this Province either as purchasers from the Crown or as *bona fide* applicants therefor the lands so settled upon, purchased or applied for shall not be included in the block of land allotted to the company but the company shall be entitled to an equal acreage of other lands in lieu thereof to be allotted in the manner provided in sub-section 2 hereof.

When grant to be made.

(2) In the case of any lands which in the opinion of the Commissioner of Crown Lands are unfit for settlement or absolutely valueless for any other purpose, other lands may be set apart and substituted therefor, and the Lieutenant-Governor in Council may grant such other lands to the company in lieu of the lands for which they are substituted.

Where lands through which railway runs are valueless.

(3) Where the pine has not already been sold in townships or blocks allotted to the company, or in the adjoining townships the right to cut such pine on such townships so allotted and on the adjoining townships shall upon the request of the company or within one year after the work of construction therein has been actually commenced be offered for sale by public auction subject to the usual conditions and regulations respecting sales of the right to cut timber on Crown Lands. No spruce or other timber not already sold by the Crown on townships and blocks which may reasonably be expected to be comprised within territory wherein lands shall be allotted to the company under the provisions hereof, shall be sold or otherwise disposed of until such allotment be made to the said company of the township or blocks in that vicinity, the line of railway to be located approximately and a plan or map thereof to be filed in the Crown Lands Department within one year from the passing of this Act.

Sale of right to cut pine by auction.

(4) The right to cut the pine upon the said townships or blocks allotted to the company as well as that on the adjoining townships or blocks shall be sold subject to the condition that a part of the same shall be cut each year and that all shall be removed within such period not exceeding ten years, as the Commissioner of Crown Lands prescribes, and any pine remaining uncut at the expiration of the said period on lands granted to the said company shall become the absolute

Conditions of sale of pine.

absolute property of the said company but it shall pay in respect thereof the same dues as are payable by Crown timber licensees.

Where pine has been sold heretofore.

(5) Where the pine and other timber on such alternate blocks or townships have been sold prior to the passing of this Act under regulations respecting sales of the right to cut timber on Crown Lands or where any person or corporation has acquired any rights to any of the timber on such blocks or townships or portions thereof under any Act of this Province the company if it select such townships or said portions thereof shall hold the same subject to all the rights and privileges of such person or persons corporation or corporations so holding such interests therein, but the company shall not be obliged to accept such lands as part of the said subsidies, but may select other lands which shall be granted to the company out of lands to be set apart in the same manner as is provided in sub-section 2 of section 8 of this Act in the case of lands unfit for settlement or valueless.

Manufacture of spruce in Canada.

(6) None of the spruce timber on the lands so granted to the company shall be exported in an unmanufactured condition from Canada, but the same shall be made into pulp, paper, or other finished or partially finished articles of commerce within Canada, and all patents of lands granted to the company shall contain a condition that all ores, minerals, and timber upon the said lands shall be subject to such regulations as to treating and refining the ores and minerals and manufacturing the timber within Canada as may be applicable from time to time to other lands within the Province under any general law.

When adjacent lands of Crown to be opened for settlement.

(7) All lands retained by the Crown and lying within six miles of the lines of said railway shall be opened for sale and settlement concurrently with the actual construction of such portions of the line within six miles of such lands, unless there is valuable pine thereon and in that event such lands shall be opened for sale and settlement within five years from the time of such construction or sooner if so directed by Order in Council and all other lands so retained by the Crown within eighteen miles of the said lines of the company, shall be opened for sale and settlement within one year from the time of the said construction unless there is valuable pine thereon and in that event such lands shall be opened for settlement within ten years from the time of such construction.

Conditions of grant.

9. The following conditions shall be fulfilled and performed to enable or entitle the company to receive or obtain any of the land grants hereinbefore provided, except as provided in sections 6 and 10 hereof, namely:—

Commencement and completion of work.

(1) The company's line of railway between the said Towns of Meaford and Owen Sound and between the said Town of Warton

ton and the said Town of Sudbury shall be surveyed and located between the said towns by the company on or before the 1st day of June, 1902, and the surveying and engineering work along the said sections of railway shall be actively proceeded with during the present year. The construction of the said sections shall be commenced at the said Towns of Meaford and Sudbury on or before the 1st day of May, 1902, and at least 30 miles completed on or before the 1st day of May, 1903, and that part of the road situated between Meaford and Owen Sound shall be completed on or before October 31st, 1903, and the entire railway shall be completed for the distance of 330 miles or thereabouts, on or before the first day of December, 1906.

After the construction of the said railway from Whitefish River to Sudbury and the setting apart of the lands to be allotted in respect of such portion of the railway, 50 per cent. of the land subsidy earned in respect of any other portion of the railway in the District of Algoma shall be withheld unless and until it shall from time to time be satisfactorily made to appear to the Lieutenant-Governor in Council that satisfactory progress has been made on those portions of the railway south of Whitefish River as will ensure the completion in all respects of the said railway system as a whole on or before the first day of December, 1906.

(2) The company shall commence or cause to be commenced the erection of smelting works within six months after the passing of this Act and shall complete the same to a capacity of 300 tons of ore daily within two years of the commencement thereof. Such works shall be located at some point or points conveniently adjacent to the said line of railway. Smelting works.

(3) The company shall establish or cause to be established within ninety days after the passing of this Act a Steamship Line for the transportation of freight and passengers between Windsor, Sarnia, Goderich, Kincardine, Port Elgin, Southampton and Little Current, and operate the same during the navigable season of the year until the completion of the said line of railway. Steamship line.

(4) The company shall in every year during the ten years next after the passing of this Act place upon their said lands or the lands of the Crown adjacent thereto, at least one thousand male settlers who shall each be of the age of sixteen years or over, and who shall each build or have built for him before or within one year of his being placed upon the said land a house thereon fit for habitation at least sixteen feet by twenty feet, with other necessary buildings, and who (in the case of agricultural settlers) shall also each perform within the time specified by *The Free Grants Act* the settlement duties as to residence, clearing and cultivation by the said Act required in order to entitle a free-grant settler to a patent of two hundred acres of land. Employees engaged in constructing said Settlers to be placed on land selected and adjacent land.

said lines of railway and artisans, operatives and other employees and settlers now residing in said districts shall not be included in the designation "settler," but regular employees of the company and other artisans and operatives in the employment of any mining, industrial or manufacturing establishment in townships or municipalities in the Districts of Manitoulin and Algoma, through which the railway lines mentioned in section 2 or branches may pass and being actual residents in such townships or municipalities shall be included in the designation "settlers." Provided that every settler's son, who is of the age of 16 years or over, and who resides with his father shall count as a settler within the meaning of this paragraph and the foregoing requirements as to the building of a separate house and other buildings shall not apply in the case of any such settler's son resident with his father.

Freeing lands
on compliance
with condi-
tions.

10. Upon complying with the conditions contained in sub-section 2, of section 9 hereof, and upon the completion of each section of the said railway of not less than ten miles in length, then upon the application of the company, and upon the company furnishing satisfactory evidence that the number of settlers or proportion thereof required by the Act have been placed on such lands within the meaning of sub-section 5 of section 9 hereof, for each of such ten mile sections, the Lieutenant-Governor in Council shall declare that any lands or any portion thereof, which may have been granted to the company under section 6 or other provisions of this Act shall thereupon be vested in the company in fee simple and freed from all the conditions mentioned and set forth in section 9 of this Act.

Grant to ferry
line, when to
made.

11. The grant to the company of the lands applicable to the company's ferry line shall not be made until the company has constructed a railway terminal at a suitable point on the north shore of the County of Bruce, and also at a suitable point on Fitzwilliam Island, or on the south-east shore of Manitoulin Island, and until the company put into operation a steel car ferry capable of maintaining throughout the year daily communication between the said terminals, such terminals and car ferry to cost at least \$300,000, and to be in operation on or before the first day of May, 1906.

Running ar-
rangements
with other
companies.

12. The granting of such subsidy and the receipt thereof by the company shall be subject to the condition that the Lieutenant-Governor in Council may at all times require the company to provide and secure to the Grand Trunk Railway Company, the Canadian Pacific Railway Company, and to other railway companies, or any of them, such running powers, traffic arrangements and other rights over and in respect of the company's railway as will afford to all railways connecting with the said line so subsidized,

subsidized, reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements with connecting companies and equitable mileage rates between all such connecting railways.

Provided however that the company shall not be required to provide and secure such powers and rights to any one of the said companies unless and until such company so desiring such rights shall have first agreed in writing with the said Manitoulin and North Shore Railway Company to provide and secure to the said Manitoulin and North Shore Railway Company such running powers, traffic arrangements and other rights over and in respect of any portions of such company's lines of railway so applying as the then Lieutenant-Governor in Council for Ontario may from time to time deem fair and proper so as to afford to the said Manitoulin and North Shore Railway Company reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements and equitable mileage rates with such company.

13. The rates for passengers and freight which may be charged by the said company on the said railway, shall be such as may be agreed to by the Lieutenant-Governor in Council, and the company shall comply with any conditions now or hereafter imposed by any Act respecting the granting of aid to railways.

14. The company shall when required produce and exhibit to the Commissioner of Public Works, or any person appointed by him, all books, accounts and vouchers showing the cost of constructing the railway, and all other outlays, the cost of operating it and the earnings thereof and shall transfer its franchise and undertaking and all rights and titles to the said railway, terminals, steel car ferry and all its real estate and personal property including leases, contracts of carriage and of every other description whatsoever so far as by law assignable (save and excepting the lands to be granted to the company hereunder) to His Majesty the King as represented by the Commissioner of Public Works for Ontario upon being paid the then value of the said undertaking, franchises, rights and property so purchased as represented by the earnings thereof, after deducting the subsidies hereinbefore granted which shall be computed at the rate of 50 cents per acre and 50 per cent of any subsidies which have been or may hereafter be granted to the said company by the Parliament of Canada and in the event of dispute the said purchase price may be determined by arbitration. The said option or right to purchase as aforesaid shall be exercised within fifteen years from the passing of this Act, otherwise this provision shall become null and void.

15. The provisions of the Act chaptered 26 of the Revised Statutes of Ontario, 1897, shall not apply to any portion of the lands to be granted to the railway company as aforesaid.

Rev. Stat., c.
26, not to
apply.

Penalty for
violating sec-
tions 12-13.

16. If the railway company fail to comply with any of the provisions contained in sections 12 and 13 of this Act it shall forfeit to His Majesty a sum not exceeding \$500 for every day during which such default continues, to be recovered at the suit of the Attorney-General, who shall also be entitled to take proceedings by way of injunction to prevent the infringement of any of the provisions of this Act or to enforce the performance thereof by the company.

Agreement to
be entered
into.

17. An agreement shall be entered into between His Majesty and the company embodying the provisions of sections 12 and 13 of this Act, and in and by such agreement it shall be provided that the company will make an application to the Parliament of Canada for an Act to ratify, confirm and make binding upon the company and its assigns the provisions of such agreement including the provisions of sections 12 and 13 and in the event of the company, prior to the passage of such Act of the Parliament of Canada, failing to comply with the provisions of such agreement including the provisions of sections 12 and 13, then any portion of the said subsidies then remaining ungranted may be withheld until the company complies with such provisions and secures the passage of the said Act of the Parliament of Canada.

CHAPTER 24.

An Act respecting aid by Land Grant to the Thunder Bay, Nepigon and St. Joe Railway Company.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :—

1. The Lieutenant-Governor in Council may set apart out of the ungranted lands of Ontario in the District of Algoma five thousand acres of land for every mile of railway which may be constructed by the Thunder Bay, Nepigon and St. Joe Railway Company, from a point at or near the Town of Port Arthur, in a north-easterly direction towards Lake Nepigon, in the District of Algoma, a distance not exceeding 30 miles. 5,000 acres per mile to be set apart.

2 None of the lands to be granted shall be nearer to Port Arthur than ten miles, but such distance of ten miles shall be taken into account in reckoning the mileage for which a grant of land as aforesaid shall be made to the railway company. Distance from Port Arthur at which lands to be granted.

3. The said lands shall be set apart in alternate blocks of one or more not exceeding three townships of six miles square within a distance of eighteen miles of the company's railway. Each township or block shall contain as nearly as may be 23,040 acres or multiples thereof, but not exceeding 69,120 acres, subject to such modifications as may be necessary for purposes of survey or other purposes required by the Commissioner of Crown Lands. Lands to be set apart in alternate blocks.

4. The unsurveyed lands to be granted shall be surveyed by the railway company, and the plans and field notes thereof filed in the Department of Crown Lands, and such work shall be done by the company at its own expense; the surveys shall be in accordance with the system of surveys prescribed for crown lands on the north of Lakes Huron and Superior and shall be subject to the inspection and approval of the Commissioner of Crown Lands. Survey of lands.

5. Upon the construction of any portion of the railway not less than 10 miles in length, and the completion thereof, so as to admit the regular running of trains thereon together with such equipment thereof as shall be required for the traffic thereon, Grant to be made on construction of ten miles.

thereon, the Lieutenant-Governor in Council may grant to the company the land applicable thereto according to the appropriation thereof made as hereinbefore provided, but the granting of such land at any time, or for any such lengths of railway of not less than 10 miles each, shall not discharge the company from due observance of the conditions which at the time of any such grant or grants may not have been deemed completed. Examination into the work done, and acknowledgement of compliance with any conditions by the Government, shall not be final until the railway shall have been completed.

Grant to be in fee and to include minerals etc.

6. The lands hereinbefore set forth to be granted to the said company shall be granted in fee simple, and such grant shall include all ores, mines and minerals base and precious.

(2) The lands granted to the company shall be subject to all the provisions of *The Mines Act*, and to all regulations made or to be made thereunder, saving and excepting Parts II. and III. thereof.

Reservation of pine.

(3) All red and white pine timber on lands granted to the company shall be reserved to the Crown and be the property of His Majesty, and the same may be placed under timber license and grant to licensees of the Crown; and the right may be granted by the Crown to enter upon the said lands, make roads thereon and do all things necessary to the removal of the said pine timber.

(4) Where said lands shall have been duly and legally sold by the company or settled upon, the purchasers or settlers thereof or thereon shall have the right to cut and use such pine timber as they may require for mining purposes or for building and fencing on the land on which they are settled, and may also cut and dispose of all pine trees required to be removed in the actual clearing of such land, but no pine trees (except for the purposes aforesaid) shall be cut beyond the limit of such actual clearing, and pine trees cut in the process of clearing and disposed of shall be subject to the payment of the same dues as are at the time payable by the holders of licenses to cut timber or saw logs, but townships valuable for pine shall not be opened by the company for settlement without the consent of the Commissioner of Crown Lands,

(5) In case any portion of the said blocks of land laid out for the company are found to contain only scattered pine timber so that in the opinion of the Commissioner of Crown Lands such pine is not of sufficient value to justify its being put up for sale, the company shall have the right with the approval of the Commissioner to cut the timber on such lands, but shall pay in respect thereof the same dues as are payable by Crown timber licensees.

7. — (1) Where a block of land allotted to the company includes within its limits lands located or claimed by settlers or others having any right or interest therein under any Act of this Province either as purchasers from the Crown or as *bona fide* applicants therefor the lands so settled upon, purchased or applied for shall not be included in the block of land allotted to the company, but the company shall be entitled to an equal acreage of other lands in lieu thereof to be allotted in the manner provided in sub-section 2 thereof.

Rights of
settlers.

(2) In the case of any lands which in the opinion of the Commissioner of Crown Lands are unfit for settlement or absolutely valueless for any other purpose, other lands may be set apart and substituted therefor, and the Lieutenant-Governor in Council may grant such other lands to the company in lieu of the lands for which they are substituted.

Where lands
through which
railway runs
are valueless.

(3) Where the pine has not already been sold in townships or blocks allotted to the company, or in the adjoining townships the right to cut such pine on such townships so allotted and on the adjoining townships shall upon the request of the company be offered for sale by public auction subject to the usual condition and regulations respecting sales of the right to cut timber on Crown Lands.

Right to cut
pine to be put
up to auction.

(4) The right to cut the pine upon the said townships or blocks allotted to the company as well as that on the adjoining townships or blocks shall be sold subject to the conditions that a part of the same shall be cut each year and that all shall be removed within such period not exceeding ten years, as the Commissioner of Crown Lands prescribes, and any pine remaining uncut at the expiration of the said period on lands granted to the said company shall become the absolute property of the said company but it shall pay in respect thereof the same dues as are payable by Crown timber licensees.

Condition
under which
pine to be cut

(5) Where the pine and other timber on such alternate blocks or townships have been sold prior to the passing of this Act under regulations respecting sales of the right to cut timber on Crown Lands or where any persons or corporations have acquired any rights to any of the timber on such blocks or townships or portions thereof under any Act of this Province the company if it select such townships or said portions thereof shall hold the same subject to all rights and privileges of such person or persons corporation or corporations so holding such interests therein, but the company shall not be obliged to accept such lands as part of the said subsidies, but may select other lands which shall be granted to the company out of lands to be set apart in the same manner as is provided in sub-section 2 of section 8 of this Act in the case of lands unfit for settlement or valueless.

Timber licen-
ses heretofore
granted.

(6) None of the spruce timber on the lands so granted to the company shall be exported in an unmanufactured condition from Canada, but the same shall be made into pulp, paper, or other

Spruce not to
be exported.

other finished or partially finished articles of commerce within Canada, and all patents of lands granted to the company shall contain a condition that all ores, minerals, and timber upon the said lands shall be subject to such regulations as to treating and refining the ores and minerals and manufacturing the timber within Canada as may be applicable from time to time to other lands within the Province under any general law.

Rev. Stat., c. 26, not to apply. 8. The provisions of the Act, chaptered 26 of the Revised Statutes of Ontario, 1897, shall not apply to any portion of the lands to be granted the railway company as aforesaid.

Conditions in which grant to be made. 9. The following conditions shall be fulfilled and performed to enable or entitle the company to have or obtain any of the land grants hereinbefore provided, except as provided in section 6 hereof, namely,—

Time for commencement and completion of line. (1) The construction of the railway shall be commenced on or before the first day of April, 1902, and shall be completed on or before the first day of April, 1903.

Stations. (2) The said railway company shall when requested by the Commissioner of Crown Lands place a station for the accommodation of passengers and freight, as nearly as may be in the centre of each block of land whether allotted or reserved, subject to the approval of the Public Works Department, and shall survey a town plot in the neighbourhood of each station in the company's blocks and as soon as the Lieutenant-Governor in Council shall declare that occasion has arisen therefor shall build a school house and public hall sufficient for the requirements of a population of five hundred people at the least, and in accordance with plans previously approved of by the Commissioner of Public Works.

Number of settlers to be brought in each year. (3) The railway company shall every year during the ten years next after the passing of this Act, place upon their said land or the lands of the Crown adjacent to the line of the said railway, at least one hundred and fifty male settlers who shall each be of the age of sixteen years or over, and who shall each build or have built for him before or within one year of his being placed upon the said land, a house thereon fit for habitation at least sixteen feet by twenty feet, with other necessary buildings, and who (in the case of agricultural settlers) shall also each perform within the time specified by *The Free Grants Act* the settlement duties as to residence, clearing and cultivation by the said Act required in order to entitle a free grant settler to a patent of one hundred acres of land. Artisans, operatives and regular employees of the railway company or of any mining, industrial or manufacturing establishments on the line of the said railway and being actual residents thereon shall be included in the designation "settlers"

Provided

Provided that every settler's son, who is of the age of 16 years or over, and who resides with his father shall count as a settler within the meaning of this paragraph and the foregoing requirements as to the building of a separate house and other buildings shall not apply in the case of any such settler's son resident with his father.

10. (1) In respect of the said conditions numbered (1), (2) and (3) of section 9 it is hereby declared and enacted that if the Lieutenant-Governor in Council at any time or times, deems that the railway company has in respect of any of the works to be done by the said company, respectively failed in commencing, constructing, or proceeding therewith, in accordance with the provisions foregoing affecting such work, then the Lieutenant-Governor in Council may on notice to the said railway company and after hearing forfeit all right, claim or demand of or to any of the said lands whether the same have been patented under the aforesaid provisions or have not been patented; but no forfeiture shall be made or declared of any lands previously sold by the said railway company to any bona fide settlers.

Forfeiture for non-compliance with conditions.

11. The rates for passenger and freight traffic which may be charged by the said company on the said railway shall be subject to the approval by the Lieutenant-Governor in Council and the company shall comply with any conditions now or hereafter imposed by any Act respecting the granting of aid to railways.

Rates for traffic to be subject to approval.

12. The company shall comply with such regulations as may from time to time be made by the Lieutenant-Governor in Council for the protection from fire of the woods and forests adjoining the line of the railway, and shall also adopt the latest appliances which are in use for the said purpose.

Fire regulations.

13. If the railway company fails to comply with any of the provisions contained in sections 11 and 12 of this Act, it shall forfeit to His Majesty a sum not exceeding \$500 for every day during which such default continues, to be recovered at the suit of the Attorney-General.

Penalty for non-compliance with conditions.

CHAPTER 25.

An Act to amend The Street Railway Act.

Assented to 15th April, 1901

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

Amend R.S.O.
c. 208, s. 18.
Rev. Stat.
c. 208, s. 18,
sub-s. 4
repealed.

1. Sub-section 4 of section 18 of *The Street Railway Act*, as enacted by section 1 of the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chapter 31, is repealed and the following substituted therefor :

Fenders.

(4) The company, when operating any portion of its line by means of electricity, shall from time to time adopt and use in the front of each motor car a fender, which shall be of a design approved of by the Lieutenant-Governor in Council from time to time upon a report by the engineer of the Department of Public Works for Ontario as suitable for use by the company, having regard to the efficiency of such fender for life saving purposes, and to the location of the company's line, and the speed at which the company's cars may be run.

(a) The fender so approved of by the Lieutenant-Governor in Council shall be adopted and used upon the cars of the company within the time fixed by the Order-in-Council approving of the same, or by any Order-in-Council extending the said time. Provided, however, that when any street railway company has entered into an agreement with a municipal council providing for the use of a fender then this Act shall not apply so as to require any other or different fender to be supplied than is provided for in the said agreement.

Penalties for
not providing
fenders, etc.

2. Section 18 of *The Street Railway Act* is amended by adding thereto the following sub-section :—

(6) The company shall pay to the corporation of the municipality in which such road is operated the sum of \$10 for each day in which any motor car is operated within such municipality without having such a fender thereon except in cases of accident or unavoidable necessity ; such sum or sums to be recovered from such company in a civil action.

3. Sub-section 3 of section 18 of the said Act is amended by adding after the word "section" in the first line thereof the following words and figures:—"and section 19."

Rev. Stat.
c. 208, s. 18,
subs. 3,
amended.

4. Sub-section 1 of section 46 of the said Act is amended by substituting the words and figures "18 and 19" for the words and figures "and 18" in the fourth line thereof.

Rev. Stat.
c. 208, s. 46,
subs. 1.

5. Sub-section 4 of section 569 of *The Municipal Act* and any by-law passed thereunder shall be suspended and shall not be operative as to vestibules on the rear ends of cars until after the close of the next session of the Legislature, but every company operating its cars without rear end vestibules shall permit its conductors to stand inside the cars as far as is consistent with the proper performance of their duties during the period mentioned in the said sub-section. Provided, however, that nothing in this section contained shall affect any action or other proceeding pending at the time of the passing thereof but the same shall be decided and determined in the same manner as if this section had not been passed.

Rev. Stat.
c. 223, s. 569
subs. 4,
suspended.

Vestibules.

Actions pend-
ing not
affected.

CHAPTER 26.

The Municipal Amendment Act, 1901.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Rev. Stat.
c. 223, s. 17
amended.

1. Section 17 of *The Municipal Act* is amended by striking out the words "town or village" in the first and second lines and inserting in lieu thereof the words, "or town separated from the county for municipal purposes," and by striking out the words "town or village" in the fifth and eighth lines and inserting in lieu the words, "or town."

Rev. Stat.
c. 223, s. 18
repealed.

2. Section 18 of the said Act is repealed and the following substituted therefor :—

Separation of
farm lands
from town or
village.

18. (1) Upon the application of the council of any town or incorporated village or of such number of the owners of any lands therein wholly used for farming purposes as shall represent at least one-half of the amount of the assessed value of all lands included within the limits or area proposed to be withdrawn from such town or village the council of the county in which such town or village is situate may in their discretion but subject as hereinafter mentioned by by-law reduce the area of such town or village and may exclude and detach such farming lands or any portion thereof or any lands situate outside the new limits to be defined by such by-law from the said town or village and annex the same to some adjoining municipality.

By-law and
term to be
subject to
revision or
rejection by
arbitrators.

(2) The by-law of the county council shall provide that such reduction of area and detachment or separation of farm lands where the council of the town or village as the case may be opposes the same shall be submitted to and be subject to the award of the arbitrators in subsection (4) hereof mentioned who by their award may approve of, modify or vary, or entirely reject the proposed reduction of area and detachment or separation of farm lands and in the event of entire rejection by the award of the said arbitrators no further proceed-

ings

ings shall be taken under the said by-law and the same shall have no effect.

(3) The said by-law of the county council shall further provide that in the event of the proposed reduction of area and detachment and separation of farm lands not being entirely rejected by the arbitrators but by their decision taking effect in whole or part, the terms and conditions of such separation and the adjustment of assets and liabilities with respect to the lands so separated between the municipal corporation of such town or village and the municipality to which such lands shall be annexed shall, in default of an agreement being arrived at within one month after the passing of the by-law by the county council, be submitted to the said arbitrators who shall award the amount to be paid to the town or village from which such lands have been taken by the municipality to which they have been annexed and the amounts to be received by such last mentioned municipality from the town or village together with such other terms and conditions as the said arbitrators may impose.

Terms of separation.

(4) One of the said arbitrators shall be appointed by the county council and named in the said by-law; another shall be named by the council of the town or village and the county judge shall be the third arbitrator, and the award of the said arbitrators or a majority of them shall be final and binding.

Appointment of arbitrators.

(5) The fees of the arbitrators including the cost of the award shall not in any case exceed \$75, and shall be paid by the county and the town or village municipality in equal shares.

Fees of arbitrators.

(6) After the separation of such lands from the town or village the municipality to which the same shall be annexed shall pay to the town or village from which such lands have been taken such part, if any, of the debts of the town or village as may have been agreed upon or determined by arbitration and shall be entitled to receive from and be paid by the said town or village the value of the interest which at the time of such separation the lands so separated had in the property or assets of the town or village as hereinbefore provided.

Payment of amounts found due by municipalities interested.

(7) The by-law shall define by metes and bounds the new limits intended for such town or village, but the town or village shall not by such change of boundaries be reduced in population below the number of 750 souls, nor in limits or area below the proportionate limits prescribed by this Act.

By-law to define limits.

(8) The municipal privileges and rights of the town or village shall not be thereby diminished or otherwise interfered with as respects the remaining area thereof.

Status of town or village not affected.

Not to apply
to certain
towns.

(9) This section shall not apply to any town which is separated from the county for municipal purposes nor to any town incorporated as such town since the 15th day of August, 1866.

Rev. Stat. c.
223, s. 71a.
subs. 2
amended.

3. Subsection 2 of section 71a of *The Municipal Act* enacted by section 2 of *The Municipal Amendment Act, 1898* is hereby amended by adding after the words "provisions of" in the second line thereof the words "subsection 1."

Rev. Stat. c.
223, s. 71a
amended.

4. The said section 71a is further amended by adding thereto the following subsection:—

Return to
ward system
in city or
town.

(3a). "At any time after two annual elections have been held under the provisions of subsection (3) of this section, the council of the town or city may, and upon the petition of twenty per cent. of the electors shall at the time of holding an annual election submit a by-law providing for the election of aldermen or councillors by wards, as provided in section 71 of this Act. If the said by-law shall receive the assent of a majority of the electors voting thereon the council shall thereafter so long as the said by-law remains in force be annually elected as provided in section 71 of this Act. The proceedings in regard to the submission of any such by-law both as to its enactment and repeal shall be as provided in this Act in regard to by-laws requiring the assent of the electors."

Rev. Stat. c.
223 s. 71a
subs. 4a
amended.

5. Sub-section (4a) of the said section 71a is amended by striking out the word "later" in the twentieth line of said sub section and inserting the word "sooner" instead thereof.

Rev. Stat. c.
223 s. 119.
amended.

6. Section 119 of *The Municipal Act* is amended by striking out the word "town" in the sixth line thereof.

Rev. Stat. c.
223 s. 140 subs.
2 repealed.

7. Sub-section 2 of section 140 of the said Act is repealed and the following substituted therefor:—

Ballot paper
where
aldermen are
not elected
by wards.

(2). In the case of cities and towns where the aldermen or councillors are elected by general vote or in two electoral divisions one kind or set of ballot papers shall be prepared for all the polling sub-divisions containing the names of the candidates for mayor and another kind or set shall be prepared for all the polling sub-divisions of the city or town or of each electoral division containing the names of the candidates for aldermen or councillors as the case may be in the city or town or electoral division, and the forms of ballot papers contained in schedule "A" to this Act shall be adapted to the foregoing provisions.

8 Section 142 of the said Act is amended by inserting the words "two days" after the word "and" in the fifth line of the said section.

Rev. Stat.
c. 223, s. 142
amended.
Transmitting
county council
ballots to
officers.

9. Section 6 of *The Municipal Amendment Act, 1900*, is repealed and *The Municipal Act* is amended by inserting therein after section 158 the following section :—

63 V c. 33 s.
6 repealed.

158*a*. In towns and cities where the councillors or aldermen are elected by general vote every elector shall be limited to one vote for the mayor and one vote for each councillor or alderman to be elected for the town or city, and shall vote at the polling place of the polling sub-division in which he is a resident, if qualified to vote therein ; or when he is a non-resident or is not entitled to vote in the polling sub-division where he resides, then where he first votes and there only ; and in cities where the aldermen are elected in two electoral divisions every elector shall be limited to one vote for mayor and to one vote for each alderman to be elected in each electoral division in which he has been rated for the necessary property qualification and shall vote in the manner hereinbefore prescribed.

Number of
votes which
may be given
by each
elector.

10. Section 159 of the said Act is amended by inserting after the word "wards" in the third line thereof the following words, "nor more than once in the township though the township is divided into wards where the election is for the township at large by general vote.

Rev. Stat. c.
223 s. 159
amended.

11. The said Act is amended by adding after section 175 the following section :—

Rev. Stat. c.
223 amended.

175*a*. In cities where the aldermen are elected by general vote or in two electoral divisions, not more than one agent of any candidate shall be entitled to be present at the same time in any polling place during the voting or at the counting of the votes.

Number of
agents who
may be pre-
sent at polling

12. The said Act is amended by inserting after section 215 the following section :—

Rev. Stat. c.
223 amended

215*a* (1). In case of a vacancy in the office of alderman in a city occasioned by death or resignation or by any cause where the aldermen are elected by a general vote, the unsuccessful candidate who received the highest number of votes at the last municipal election shall be entitled to the office upon taking the requisite oath of qualification within the time hereinafter prescribed, and in the event of his failure to do so or upon his disclaiming the office, one of the candidates following in regular order as to the number of votes received, shall, in manner hereinafter provided, become entitled to the office on taking the requisite oath of qualification within the time hereinafter limited.

Vacancies in
council where
aldermen
elected by
general vote.

In

Notice of
vacancy who
to succeed.

In case of a tie in the number of votes cast for two or more of such candidates their order of succession shall be determined by the amounts for which they are respectively rated upon the last revised assessment roll, the candidate having the largest assessment to have the priority. When any such vacancy occurs in the office of alderman it shall be the duty of the city clerk to give immediate notice in writing to the candidate who stands first in succession that he is entitled to such vacant office if he takes the requisite oath of qualification within one week after the giving of such notice, and if such candidate shall fail to take the oath within that period he shall be deemed to have disclaimed the office. If any candidate disclaims or fails to take the requisite oath within the time so limited, the clerk shall give immediate notice in writing to the candidate next in succession in the same terms as the notice to the first candidate until the vacant office has been filled or the list of candidates entitled to take it exhausted. The notice in writing to be given by the city clerk to candidates under this section may be served personally, or by registered letter, addressed to the candidate and a record of such service, or of such mailing and of the address of the letter containing the notice shall be preserved by the clerk.

Where elec-
tion by
acclamation.

(2) If all the aldermen have been elected by acclamation or no candidate takes the vacant office under provisions contained in the last preceding section the council shall immediately after the time for filling the vacancy under said section has expired, elect one alderman to fill such vacancy for the remainder of the term of the member whose seat has become vacant.

Rev. Stat. c.
223, s. 310,
amended.

13. Section 310 of the said Act is amended by adding thereto the following as sub-section 3.

Method of
valuing by
county valua-
tors.

3. When valuator have been appointed under this section the said valuator may ascertain the value of the said real property by inspecting and valuing from five to eight per cent. of the different parcels of land in different parts of each municipality in the county, and upon such inspection and valuation the said valuator shall compare their valuations with the valuations in the last revised assessment roll made by the assessors of the several municipalities within the county, and if upon such comparison it is found that the valuation of the county valuator nearly corresponds in the aggregate with the valuation upon the local assessment roll, the valuator and afterwards the county council shall accept the assessment roll of the local municipality as correct for the purposes of county valuation.

(a) Where it is found that the valuations of particular lots made by the county valuator differ materially from the valuations of the same lots upon the assessment roll of the local municipality the county

county valuator shall add or deduct a corresponding percentage to or from the local assessment and a similar method shall be followed with respect to the valuation of real property in towns and villages.

14. Notwithstanding anything contained in *The Municipal Act* or in *The Assessment Act*, the valuator appointed by the county council shall be required to attest their report by oath or affirmation only to the extent of the property actually inspected and valued by them. Attestation of valuation.

15. Subsection 3 of section 384 of *The Municipal Act* is amended by prefixing thereto the words, "In the case of a by-law heretofore or hereafter passed," and by striking out the words "a year" immediately following the word "within" in the second line of the said subsection, and substituting therefor the words "two years," and by striking out the words "one year" in the last line of the said subsection and substituting therefor the words "two years." Rev. Stat. c. 223, s. 384 sub s. 3, amended.

16. Section 433 of the said Act is amended by adding the following sub-section thereto: Rev. Stat. c. 223, s. 433, amended.

- (5). Instead of passing individual by-laws as hereinbefore provided, councils may pass one by-law for several local improvement works giving the same information concerning each of such works as would be given in the several individual by-laws, and the passing of one by-law covering several distinct works shall not in any way invalidate the said by-law. Passing one by-law for several local improvements.

17. Section 481 of the said Act is amended by substituting for sub-section 3 of said section the following sub-section: Rev. Stat. c. 223, s. 481, amended.

(3) The council of any city with a population of 50,000 or more may by by-law provide for the payment of a reasonable remuneration to the Judge of the County Court for his services as a member of the Board of Commissioners of Police, or for the payment of such remuneration to any one appointed to be a member of the Board while the office of County Judge or Police Magistrate is vacant. Remuneration of police commissioners.

18. Section 539 of the said Act is amended by adding at the end thereof "and to provide for the payment of a commutation of such rent or for charging a gross sum in lieu of rent and for the payment of such commutation or gross sum either in cash or by instalments with interest." Rev. Stat. c. 223, s. 539, amended.

Rev. Stat.,
c. 223, s. 540,
amended.

19. Section 540 of the said Act is amended by striking out the words "having 100,000 inhabitants or more" in the paragraph before subsection 7 of said section, and inserting in lieu thereof the words "or towns."

Rev. Stat.,
c. 223, s. 542,
amended.

20. Section 542 of the said Act is amended by inserting after subsection 3 of said section the following subsection :—

Inspecting
and regulat-
ing electric
wires, etc.

(a) For inspecting wires and other apparatus used or installed for the transmission of electricity for purposes of light or power along the public streets or highways or upon or in any building in the municipality.

Rev. Stat.,
c. 223, s. 549,
amended.

21. Section 549 of the said Act is amended by adding the following sub-section after sub-section 8 :—

Immoral
plays in
theatres.

(9). For preventing the production or giving of any immoral or indecent play, sketch or performance in any theatre, hall or other public place of amusement or entertainment. It shall be lawful for any such by-law, in addition to any penalty lawfully imposed, to authorize the chief of police, the deputy chief of police, or any officer specially detailed for that purpose, upon the written instructions of the chairman of the board of police commissioners, to enter any theatre, hall or other place of public amusement or entertainment, and if at the request of such chief of police, deputy chief of police or other officer so detailed as aforesaid, such immoral or indecent play, sketch or performance is not forthwith stopped, to apprehend the performer or performers without warrant, and carry him, her or them as soon as practicable before a justice of the peace.

Rev. Stat.,
c. 223, s. 557,
amended.

22. Section 557 of the said Act is amended by adding the following sub-section thereto :—

Grants to
cemetery
trustees.

3. For making annual or other grants of money to the owners or trustees of cemeteries situated within the municipality or any other municipality!

Rev. Stat.,
c. 223, s. 559,
subs. 5,
amended.

Conveyance
of traffic.

23. Sub-section 5 of section 559 of the said Act is amended by adding thereto the following words

And for prohibiting the conveyance of traffic in any but one direction on streets, lanes or alleys which, in the opinion of the council, are too narrow for the passing of one vehicle by another.

24. Sub-section 3 of Section 566 of the said Act is repealed and the following is substituted therefor :—

Rev. Stat. c. 223, sec. 566, subs. 3, repealed.

3. For authorizing any gas, water or pneumatic transit company to lay down pipes or conduits for the conveyance of water, gas or merchandise and other things under streets or public squares, subject to such regulations as the council sees fit.

Authorizing gas, water or pneumatic companies to lay down pipes.

25. Section 583 of the said Act is amended by inserting therein immediately after the words "For regulating the assize of bread" the words :

Rev. Stat. c. 223, s. 583 amended.

Provided however that no such by-law shall apply to bread or the sale thereof in loaves to which are attached labels showing the weight to be not more than the actual weight of the same.

Regulating sale of bread.

26. Section 583 of the said Act is further amended by adding thereto the following :

Rev. Stat. c. 223, s. 583, amended.

Laundrymen.

By-laws may be passed.

By the councils of towns and of cities having less than 100,000 inhabitants and by the Board of Commissioners of Police in cities having 100,000 inhabitants or more.

39. For licensing and regulating laundrymen and laundry companies and for inspecting and regulating laundries, but no such by-law shall apply to or include women carrying on the laundry business in private dwelling houses, and employing female labour only, nor shall any such by-law apply to or include such private dwelling houses.

Licensing, etc., of laundries

By the councils of cities and towns.

40. For fixing the sums to be paid for licenses required under by-laws passed under the preceding paragraph 39.

Trading Stamps, Coupons, etc.

By the council of Cities, Towns and Villages.

41. For prohibiting the giving, selling, distributing or receiving of trading stamps, coupons, or other similar devices, and for prohibiting the giving, selling or dealing therewith by any person, firm, or corporation engaged in trade or business.

Trading stamps and coupons.

(a) No such by-law shall apply to any merchant or manufacturer who places in or upon packages of goods or delivers to the purchasers of goods sold or manufactured by him, tickets or coupons to be redeemed

redeemed by such merchant or manufacturer either in money or merchandise.

(b) No such by-law shall come into force or take effect until after the 1st day of January, 1902.

Rev. Stat. c. 223, s. 586 amended.

27. Section 586 of said Act is amended by inserting the following sub-section:—

Milk and bread tickets, etc.

(11) For regulating the use of tickets, checks or coupons by vendors of or dealers in milk, bread, or other articles of food.

Rev. Stat. c. 223, s. 669, sub-s. 1 amended.

28. Sub-section 1, of section 669 of the said Act is hereby amended by adding thereto the following —“and any number of different works or improvements may be included in one such notice and shall stand good for any one or more that may not be petitioned against that the council may determine to proceed with.”

Rev. Stat., c. 223, s. 9, amended.

29. The said section 669 of the said Act is further amended by inserting therein the following subsection:—

Personal service of local improvement notices in addition to publication.

(1a.) In addition to being given by publication, as provided in the next preceding paragraph, the notice of the intention of the council to undertake any work as a local improvement shall be given to the owners and occupants of the properties benefited thereby, by personal service or by leaving the notice at the places of business or residence of such owners respectively, or by registered letter, or by leaving the same with a grown up person on the premises when the owner's address or residence is unknown; and a declaration of the officer or person charged with the duty of giving any such notice that the same was served or mailed as stated in the declaration, shall be accepted as conclusive evidence of such service or mailing.

Rev. Stat. c. 223, s. 673, subs. 1, amended.

30. Sub-section 1 of section 673 of the said Act is amended by adding thereto the words “or may assess and levy the cost thereof by a special rate upon the lands benefited thereby instead of by a frontage rate.” The provisions of this section shall apply to sewers heretofore constructed as well as to those hereafter constructed.

Rev. Stat. c. 223, s. 673, subs. 2, amended.

31. Sub-section 2 of section 673 of the said Act is amended by striking out the words and figures “671 and 672” in the last line of the said subsection and substituting therefor the words and figures “674 and 675.”

Establishment of consumption hospitals.

32.—(1) Any municipality or any two or more municipalities in this Province may agree with the National Sanatorium Association (hereinafter called the Association) for the establishment

lishment and maintenance by the Association of a Sanatorium for the treatment of consumptives, and the municipalities shall have similar powers to those conferred by chapter 57 of the Statutes of Ontario for the year 1900, intituled *An Act respecting Municipal Sanatoria for Consumptives*, with respect to procuring plans, estimates and other information and the basis for establishing such Sanatorium, and the location thereof within or without the municipality, and the passing of by-laws to raise the monies, if any, proposed to be paid or contributed by the municipality in respect of the Sanatorium and to the issue of debentures therefor.

(2) The plans, estimates and agreement and proposed site shall be submitted for the approval of the Provincial Secretary in a similar manner to that provided for by section 3 of said Act, and upon such approval being given the said agreement shall be valid and may be acted on.

(3) Provided always that the parties to such agreement may make such changes in, or modifications thereof, as may be required by the Provincial Secretary as a condition to his approval.

(4) Sections 11, 12 and 13 of said Act shall apply to any Sanatorium established under the foregoing sections of this Act and to the trustees of the said Association.

33 Section 677 of the said Act is amended by striking out the word "or" in the second, fifth and eighth lines and inserting the words "or village" after the word "town" in the said lines respectively and by striking out the word "plank" in the third line of said section, and by adding after the word "sidewalk" in the said third line, the following words;— "of the following material, namely;—plank, gravel, or cinders, or a combination of any one or two of such materials, with tar and sand."

Rev. stat.,
c. 223, s. 677
amended.

Laying side-
walks without
petitions or
notice.

34. Clause (b) of subsection 3 of section 696 of the said Act is hereby amended by striking out in the third and fourth lines of said section the words "to include a sinking fund."

Rev. Stat.
c. 223, s. 696,
sub-s. 3
amended.

35. Section 708 of the said Act is amended by striking out all the words therein after the word "corporation" in the fourth line and inserting in lieu thereof the following words:

Rev. Stat.
c. 223, s. 708,
amended.

But when the prosecution is brought by a member of the police force or an employee of the municipal corporation or of the local board of health the pecuniary penalty shall be paid to the municipal corporation.

If informant
an employee
whole penalty
to municipi-
pality.

62 V. (2) c. 26,
s. 35, sub-s. 5,
amended.

Municipalities
establishing
gas works.

36. Subsection 5 of section 35 of the *The Municipal Amendment Act*, 1899, is amended by adding thereto the following words: " Nothing in this section contained shall be deemed to annul any of the provisions contained in the Act, incorporating any gas company now operating in any city, nor shall it affect any Acts amending such Act of Incorporation, nor the right of any such city under such Acts to establish or procure the establishment therein of further works for the supply of gas: provided that any city corporation having under the Act of Incorporation and amendments thereof of any gas company operating in such city, the right to establish or to cause or permit to be established additional or further works for the supply of gas in such city, shall have power to construct and establish such further or additional works and to pass the necessary by-laws authorizing the levying of an annual special rate to defray the yearly interest on the expenditure therefor and to form a sinking fund for the payment of the principal within a time not exceeding thirty nor less than five years.

Commence-
ment of Act.

37. This Act shall come into force on from and after the first day of June next.

CHAPTER 27.

An Act to provide for the Incorporation of Towns
in Territorial Districts.*Assented to 15th April, 1901.*

HIS MAJESTY, by and with the advice and consent of the
Legislative Assembly of the Province of Ontario, enacts
as follows :—

1. The inhabitants of any locality in any of the Districts of Muskoka, Parry Sound, Nipissing, Algoma, Manitoulin, Thunder Bay and Rainy River or partly in one and partly in another of such districts, such locality having an area of not more than 750 acres, and having a population of at least five hundred persons, may be constituted a body corporate in the manner hereinafter provided, to be called "The Corporation of the Town of ."

Incorporation
of towns in
districts.

2. The Lieutenant-Governor, upon the receipt of a petition signed by at least seventy-five male inhabitants of any such locality, of the age of twenty-one years or over, which petition shall set out the metes and boundaries of the locality, and, approximately the number of persons resident therein, and about the area in acres of such locality, may, by Order-in-Council, issue a proclamation under the Great Seal of the Province, declaring that from and after a day to be named therein, the said inhabitants shall be constituted a body corporate under the name of "The Corporation of the Town of

Proclamation
of Lieutenant-
Governor.

" (naming the same), and such proclamation shall also describe the limits of the town and shall state the date and place for the nomination of candidates for the first election of the municipal council of the town and the date and place for holding the same and shall appoint a Returning Officer to hold the said election, and shall name the time and place for summing up the votes and declaring the result of the election, and the time and place for the first meeting of the council of the town.

3. The duties, powers and privileges of every town incorporated under this Act and of the council thereof, shall, except as otherwise provided in this Act, be similar to the duties, powers and privileges of villages and of the councils thereof under *The Municipal Act*, and the powers of such town shall be exercised by the council thereof.

Duties and
powers of
towns so
incorporated.

Council, how
composed.

4. The council of every such town shall consist of a mayor, who shall be the head thereof, and four councillors to be elected by general vote.

First election
in unorgan-
ized territory.
Rev. Stat.
c. 225.

5. In the case of any town incorporated under this Act comprising territory which does not form part of any incorporated municipality, except as otherwise provided by this Act, sections 6, 7, 9, 10, 11, 12, 13 and 14 of *The Act respecting the establishment of Municipal Institutions in Territorial Districts* shall apply to the first election held under this Act.

First election.

Subsequent
elections.

6. The first nomination and election of the members of the council of any town incorporated under this Act, shall take place on the dates mentioned in the proclamation and save as otherwise provided by this Act, shall be conducted in the manner provided in *The Municipal Act* for the nomination and election of members of the first council of an incorporated village, and the duties of the returning officer shall be similar to those required by *The Municipal Act*, in respect of elections in incorporated villages, and all subsequent nominations and elections shall be conducted in the manner provided by the said Act.

Declaration of
officers.

7. Except as in this Act provided with respect to the first election in the towns mentioned in section 5, the several persons who shall be elected or appointed as members of the council or as officers of any town incorporated under this Act, shall respectively take the declaration of office and qualification required by the existing municipal laws of Ontario to be taken respectively by persons elected or appointed to like positions and offices in villages in the said districts, and the said persons respectively shall possess such qualifications.

Clerk.

8. The returning officer appointed by such proclamation shall be the clerk of such town until a clerk is appointed by the council in the manner provided by *The Municipal Act*.

Separation
from township
municipality.

9. Where any locality, the inhabitants of which are incorporated as a town under this Act, was formerly, wholly or partly within a township or union of townships organized under *The Act respecting the Establishment of Municipal Institutions in Territorial Districts*, or otherwise the said town shall by virtue of such incorporation, be separated from the township or union of townships for municipal purposes and all the provisions of *The Municipal Act* respecting the matters consequent upon the incorporation of a village or town which includes territory forming part of a township municipality, and its separation from such municipality shall, so far as applicable, apply to the town so incorporated under this Act, and to its separation from such township or union of townships.

Rev. Stat.
c. 225.

10. The provisions of *The Municipal Act* and the amendments thereto relating to matters consequent upon the formation of new corporations, and all the provisions of the said Act and amendments and any other general Act applicable to villages incorporated under or subject to *The Municipal Act*, and to the councils and officers thereof, shall, so far as applicable, and except as otherwise provided in this Act, apply to towns incorporated under this Act and to the councils and officers thereof.

Application of
Rev. Stat. c.
223.

11. A census of any town incorporated under this Act may at any time be taken under the authority of a by-law of the council thereof.

Census.

12. In case it appears by the census when taken under such by-law, or under any Statute, that a town incorporated under this Act contains over one thousand inhabitants, the Lieutenant-Governor may, by Order-in-Council, issue a proclamation under the Great Seal of the Province, declaring that such town shall, from and after a date to be named in such proclamation be subject to and possess all the duties, powers and privileges of towns under *The Municipal Act*, and from and after the said date such town shall be subject to and possess such duties, powers and privileges, and all provisions of *The Municipal Act* and the amendments thereto, and of all other general Acts applying to villages erected into towns under *The Municipal Act*, shall, so far as applicable, apply to the town to which such proclamation refers.

When power
of town may
be enlarged.

Rev. Stat.
c. 223.

13. The expense incurred in procuring incorporation of a town under this Act, and in all matters whatsoever connected therewith or incidental thereto, shall be borne by the town so incorporated, and paid by it to any party entitled thereto.

Expenses of
incorpora-
tion.

CHAPTER 28.

An Act authorizing municipal grants for the reception of Their Royal Highnesses the Duke and Duchess of Cornwall and York.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Any municipal council within the Province may include in their estimates, and expend such sums as may be deemed

Authorizing
reception to
Duke and

Duchess of
Cornwall
and York.

deemed prudent in giving a fitting reception to Their Royal Highnesses the Duke and Duchess of Cornwall and York upon their visit to Canada during the year 1901, or as soon thereafter as the said visit may be made, and such expenditures are hereby made legal and valid.

CHAPTER 29.

An Act to amend The Assessment Act.

Assented to 15th April. 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :—

Rev. Stat.
c. 224, s. 7,
subs. 10a
amended.

1. Subsection 10a of section 7 of *The Assessment Act* as enacted by *The Assessment Amendment Act, 1900*, is amended by inserting after the word "Ontario" at the end of the fifth line the words "whether held in the name of such society or in the names of trustees or otherwise for the purposes of such society."

Rev. Stat.
c. 224
amended.

2. *The Assessment Act* is amended by inserting therein after section 18, the following sections :—

Assessment of
property ex-
tending over
more than one
ward.

18a. Real property belonging to or in the possession of any person or incorporated company, and extending over more than one ward in any city or town, or situate in any township, may be assessed together in any one of such wards at the option of the assessor, or the assessment of the property may be apportioned amongst two or more of such wards in such manner as he may deem convenient, and in either case the property shall be valued as a whole or as an integral part of the whole.

Bridges on in-
ternational
boundary.

18b. In the case of any bridge belonging to or in possession of any person or incorporated company, which crosses any river forming the boundary between the Province of Ontario and any other count., or province, which is liable to assessment, the part of such structure within Ontario shall be valued as an integral part of the whole and on the basis of the valuation of the whole. Any bridge belonging to or in possession of any person or company between two municipalities in the

Province

Province shall also be valued as an integral part of the whole and on the basis of the valuation of the whole.

3. Sub-section 1 of section 58 of *The Assessment Act* is amended by striking out the words "containing a population of 30 000 or more" in the eighteenth and nineteenth lines. Rev. Stat.
c. 224, s. 58,
subs. 1
amended.

4. Sub-section 2 of section 58 of *The Assessment Act* is amended by striking out the figures "31st" in the second line of said subsection, and substituting therefor the figures "15th." Rev. Stat.
c. 224, s. 58,
subs. 2
amended.

5. Section 62 of *The Assessment Act* is amended by inserting after the word "arbitrator" in the last line of the first paragraph of said section the words "or where such official arbitrator is a judge or junior judge of the county in which the city is situated." Rev. Stat.
c. 224, s. 62
amended.

6. Sub-section 1 of section 110 of *The Assessment Act* is amended by inserting the words "current or" after the word "the" in the ninth line of the said sub-section. Rev. Stat.
c. 224, s. 110,
subs. 1
amended.

CHAPTER 30.

An Act to amend The Municipal Drainage Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Sub-section (1) of section 71 of the said Act is amended by adding thereto the following: "The order of the Referee upon such appeal shall be subject to appeal of the Court of Appeal for Ontario, and the decision of the Court of Appeal for Ontario shall be final and conclusive as to all corporations affected thereby." Rev. Stat.
c. 226, s. 71,
subs. 1.

Appeals from
referee.

2. Section 74 of the said Act is amended by striking out the words "deepen, widen or extend" in lines 7 and 8 and inserting Rev. Stat.
c. 226, s. 71,
amended.

inserting in lieu thereof the words "make improvements thereto by deepening, widening or extending," and by striking out the word "repairs" in line 11 and inserting in lieu thereof the words "said improvements."

Rev. Stat.
c. 226, s. 89,
subs. 2,
amended.

3. Sub-section (2) of section 89 of the said Act is amended by inserting after the word "all" in the first line thereof the words "applications and."

Rev. Stat.
c. 226, s. 93,
repealed.

4. Section 93 of said Act is repealed and the following section substituted therefor:

All applica-
tions, etc.,
affecting
drainage
works to be
made before
referee.

93.—(1) All applications to set aside, declare void, or otherwise directly or indirectly, attack the validity of any petition, report of an engineer, resolution of a council, by-law provisionally adopted or finally passed, relating to a drainage work as hereinbefore defined, as well as all proceedings to determine claims and disputes arising between municipalities or between a company and a municipality or between individuals and a municipality, company or individual, in the construction, improvement or maintenance of any drainage work under the provisions of this Act, or consequent thereon, or by reason of negligence, or for a mandamus or an injunction, shall hereafter be made to and shall be heard or tried by the referee only, who shall hear and determine the same and give his decision and his reasons therefor.

Procedure.

(2) Proceeding for the determination of claims and disputes and for the recovery of damages by reason of negligence, or by way of compensation or otherwise, or for a mandamus or an injunction, under this section, shall hereafter be instituted by serving a notice claiming damages or compensation, or a mandamus or an injunction, as the case may be, upon the other party or parties concerned and the notice shall set forth the grounds of the claim.

Service of
notice of
claim.

(3) A copy of the notice with an affidavit of service thereof shall be filed with the clerk of the county court of the county or union of counties in which the lands in question are situate, and the notice shall be filed and served within two years from the time the cause of complaint arose.

Notice of
motion.

(4) All applications under this section shall be made by notice of motion based upon affidavits filed, not less than ten days before the date on which the motion shall be made, with the clerk of the county court of the county or counties in which the municipality whose proceeding is called in question is situate.

Proceedings
to be taken
under this
section.

(5) No application or proceeding within the meaning of this section shall be made or instituted otherwise than as therein provided.

Rev. Stat.
c. 226, s. 94,
repealed.

5. Section 94 of said Act is hereby repealed and the following section substituted therefor:

94. The decision of the referee in all applications and proceedings under this Act, not otherwise provided for as being final and conclusive between the parties, shall be subject to appeal to the Court of Appeal for Ontario and its decision thereon shall be final, conclusive and binding upon all parties to the application or other proceeding.”

Decision of
Court of
Appeal to be
final.

6. The said Act is further amended by inserting therein the following section :

Rev. Stat.
c. 226,
amended.

114. All parts of Acts inconsistent with this Act are hereby repealed.

Repeal of
inconsistent
provisions.

CHAPTER 31.

An Act to amend The Municipal Arbitrations Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 15 of *The Municipal Arbitrations Act* is amended by striking out all the words after the word “thereof” in the sixth line and inserting in lieu thereof the words following:—

Rev. Stat.
c. 227, s. 15,
amended.

“Where any municipality, other than the City of Toronto, the County of York or the Township of York, has by by-law declared or shall hereafter declare that it is the desire of the municipality to be brought within the provisions of this Act an official arbitrator shall be appointed for such municipality by the Lieutenant-Governor in Council and shall have and exercise within such municipality all the powers conferred upon the Official Arbitrator by this Act.”

Official arbi-
trator may be
appointed.

CHAPTER 32.

An Act for the Improvement of Public Highways.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

\$1,000,000
appropriated
for road im-
provements.

1. The sum of \$1,000,000 is hereby set apart to be paid out of the Consolidated Revenue Fund of the Province to aid in the improvement of public highways subject to the terms and conditions hereinafter set forth.

Town-ships to
report
acceptance or
rejection of
by-law.

2.—(1) The highways to be improved in any county may before the 1st day of January, 1903, be designated by by-law of the county council and a copy of such by-law shall be transmitted forthwith to the clerks of the townships of such county.

By-law
designating
highways to
be improved.

(2) The municipal councils of the townships shall within three months of the receipt of such notice from the clerk of the county council take into consideration the highways so designated in said by-law and shall report their acceptance or rejection of the same to the clerk of the county council.

Arbitration
where
one-third of
townships are
adverse.

(3) On receipt of such reports by the clerk of the county council from the clerks of the township councils in the county, if it should appear that one-third of the township councils are adverse to the highways designated by the county council as county highways, then the roads within such townships as reported adversely which are to form part of the county highway system of such township shall be determined by arbitration as provided in *The Municipal Act*.

Rev. Stat.
c. 223.

Submitting
question to
ratepayers.

(4) Where it appears that more than one-third of the township councils disapprove of the system of highways designated in the by-law submitted by the county council, the county council shall then submit to the ratepayers of the county qualified to vote on money by-laws the question "Are you in favour of a county road system?" If a majority of the votes cast is in favor of a county road system, the roads to be designated and assumed within any township, the council of which disapproved of the roads designated by the county council, shall be determined by arbitration as provided in *The Municipal Act*.

Submitting
by-law for
assuming
roads.

3. Before the final passing of a by-law by a county council designating and assuming roads as provided in sub-sections (1), (2) and (3) of this section, the county council may submit the same

same for the approval of a majority of the ratepayers of the county qualified to vote on money by-laws.

4. In case the by-law or question so submitted fails to receive the assent of a majority of the rate-payers of the whole county so voting or the county council neglects to take action as provided in section 2, then the council of any local municipality in the county may on or before first of January, 1904, pass a by-law designating the roads within such local municipality to be improved, but no by-law for the improvement of roads in any municipality shall take effect until such by-law is approved by a majority of the rate-payers of such municipality in the manner provided by *The Municipal Act* with respect to by-laws for the creation of debts.

When local municipalities may adopt road scheme.

5. Any municipality may apply the whole or part of the moneys to which it may be entitled under this Act towards paying any expenses that may be incurred for the purchase of toll roads within such municipality, or for freeing the same from tolls. Such toll roads as are purchased shall be included in the roads to be designated and assumed or improved in accordance with the provisions of this Act.

Application of grant to purchase of toll roads.

6. Any highway, in order to come under the provisions of this Act as to aid, shall be constructed or repaired according to the regulations of the Public Works Department with respect to highways.

Regulation and inspection.

7. The road mileage to be designated and assumed in accordance with this Act shall, as nearly as practicable, be in proportion to the assessed area of each township and county, provided always that no township or county shall receive out of the said sum of \$1,000,000 more than the sum to which it is entitled under this Act.

Mileage assumed to be proportioned to assessed area.

8. On the completion of any work of road improvement under this Act the council of the municipality under which such work was carried on shall submit to the Public Works Department a statement setting forth the cost of such work, such statement to be certified by a competent engineer who shall further certify that the regulations of the Public Works Department have been complied with, and on the receipt of said statement by the Provincial Treasurer, certified and approved by the proper officer of the Public Works Department, the municipality shall be entitled to receive out of the monies hereby set apart for public highways an amount equal to one-third of the cost of the work but not to exceed the proportion of the appropriation to which such municipality is entitled.

Grant of one-third of cost of improvement.

9. The municipal council of any township or county taking advantage of this Act may raise by debentures, payable in twenty years, as provided by *The Municipal Act*, such sums

Issuing debentures for expenditure in highways.

of

of money as may be necessary to meet any expenditure on highways under this Act, but in no case shall the debentures issued under this Act exceed two per cent. of the equalized assessment of the county.

Statute labour
on improved
roads to be
commuted.

10. The statute labour, for which all lands fronting on roads constructed or repaired under this Act may from year to year be liable, may be commuted and may be applied towards the improvement of the other highways of the municipality as may be determined by the township councils concerned.

Amount of
colonization
road grant
to be deducted.

11. In the case of any township receiving grants from the consolidated revenues of the Province for colonization roads, the amount of such colonization grants shall be deducted from any sum of money to which such township is entitled under this Act.

Grants made
before passing
of Act to be
deducted.

12. Where any township has been in receipt of grants for colonization roads out of the consolidated revenue fund, for the five years previous to the date of this Act, the assessed area of such township shall be deducted from the area of the county in which such township is situated, in determining the sum to which the county is entitled under this Act.

CHAPTER 33.

An Act to facilitate the Purchase of Toll Roads by Municipalities.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

Short title.

1. This Act may be cited as "*The Toll Roads Expropriation Act, 1901.*"

Interpreta-
tion.

2. Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned unless a contrary intention appears :—

1. "Owner" or "owners" besides including any person or persons, in whom the legal and equitable estates are vested, shall also include any joint stock company as well as any municipality" "Owner" or "Owners."

2. "Road" or "roads" shall include any parcel of land or franchise respecting or any easement in any land, and also any toll houses or other buildings erected thereon or used therewith. R.S.O. 1897, c. 239, s. 2. "Road" or "Roads."

3. The municipal corporation of any township or of any county may agree with the owners or lessees of any road as to the amount to be paid in order that tolls on such road may be abolished, but in the event of their failing so to agree the same shall be determined by arbitration as hereinafter provided. Agreement for ceasing of tolls.

4. Where a toll road owned by a person or corporation lies wholly within one township, the municipal council shall within three months after the receipt by the clerk of the municipality of a petition signed by fifty ratepayers by by-law appoint an arbitrator for the purposes of this Act. Where such road lies within two or more municipalities of the same county the municipal council of the county shall within two months after the receipt of a petition from each of the municipalities concerned signed by at least fifty ratepayers of each of such municipalities by by-law appoint an arbitrator for the purposes of this Act. Appointment of arbitrator by municipality.

5. On the appointment of an arbitrator as hereinbefore mentioned either by a township or by a county, the clerk of the township or of the county, as the case may be, shall notify the owners of the road of such appointment. On the receipt of such notice, the owners of such road may appoint an arbitrator and in default of their doing so within 21 days of the receipt of such notice the judge of the county court shall appoint an arbitrator to act in their behalf. The two arbitrators so appointed shall, within 7 days of the appointment of the last person appointed, meet and appoint a third arbitrator, and in default of their doing so from any cause then the judge of the county court shall *ex officio* act as a third arbitrator. Appointment of arbitrators by owners.

Third arbitrator.

6. No member, officer or person in the employment of any corporation which is concerned or interested in any arbitration, nor any person so interested shall be appointed or act as an arbitrator in any cases of arbitration under this Act: but nothing in this section contained, shall prevent the appointment of or disqualify as an arbitrator any person by reason merely, that such person is a rate-payer of or within any municipality concerned or interested in the arbitration. Persons disqualified from acting as arbitrators.

7. Sections 9 to 12, 15, 17 to 27, and 40 to 44 of *The Arbitration Act*, shall apply to arbitrators appointed under this Act and to arbitrations thereunder. Sections of Rev. Stat. c 62 to apply.

Mode of
ascertaining
price to be
paid for roads.

8.—(1) For the purpose of ascertaining and determining the prices to be paid for any toll road the arbitrators may agree with the owners as to the price and terms of payment.

(2) If the arbitrators and owners are unable to agree the prices to be paid shall be determined by the arbitrators in the manner provided for by *The Act respecting the Public Works of Ontario* and all the provisions of the said Act in regard to the mode of determining the compensation to be paid for lands or other property or rights to be acquired by the Commissioner of Public Works shall apply as nearly as may be in determining the compensation to be paid for roads or rights to be acquired for the purposes of this Act, but in lieu of making any tender the arbitrators may name a price which they are willing to fix as the price to be paid, and notice thereof to the owners shall stand in lieu of a tender. The compensation agreed to or awarded as aforesaid shall be the price to be paid for the roads or rights described in the agreement or award, in case the same are taken under this Act, within one year after such valuation or award has been made or after such price has been agreed upon.

Examination
of roads.

(3). The arbitrators may examine the toll roads held or owned by any person, company or minor municipality for which they are appointed and for that purpose shall have power to travel over, measure, dig into and otherwise examine, such roads as they may deem necessary.

Examination
of books and
records.

(4). The said arbitrators shall also have power to examine all books and records connected with the management of any such road or roads and may require any owner or owners to produce the same for the purpose of being examined, and shall also have power to examine any person or persons under oath relative to the value, cost, income or expenditure, or net profit of any such road or roads, and in case any person shall refuse to testify or refuse to produce such books or records, he or they shall be punished for contempt of court in the manner provided for such cases in the courts of law.

Payment of
compensation
into court.

(5). If the person or company owning the roads could not without this Act have conveyed the same or agreed for the compensation to be paid therefor, or if any owner or party to whom the compensation money, or any part thereof, is payable refuses to execute the proper conveyance or other requisite instrument of transfer of the roads, or if the person entitled to claim the compensation cannot be found, or is unknown, or if there is reason to fear any claim or incumbrance the compensation money agreed upon or awarded may be paid into the High Court of Justice and a copy of the conveyance or of the agreement or award, if there be no conveyance, verified by affidavit, shall be delivered to the accountant or other proper officer of the Court.

Compensation
to stand in
place of the
land.

(6). The compensation money for any roads acquired or taken under this Act without the consent of the proprietor or proprietors,

proprietors, shall stand in the stead of such roads, and any claim or encumbrance upon such roads shall be converted into a claim to the compensation money or to a proportionate amount thereof and shall be unavailing as respects the roads themselves.

(7.) Possession shall not be taken of any part of any road valued as aforesaid until the amount agreed on or awarded for the same has been paid to the company or owner, or to the persons appearing to be entitled to receive it, or has been paid into court under the provisions of this Act. When possession may be taken.

(8.) If the road is not taken and paid for within one year as aforesaid the owner shall be entitled to receive from the municipality concerned the costs to which he has been put in any proceedings taken for determining by arbitration the value of such road; the amount of such costs shall be stated in the award of the arbitrators, whether the arbitrators direct that the party shall be entitled to such costs in the event of the road being purchased, or direct otherwise. Costs where road not taken.

(9.) Subject to the provisions of the preceding section the arbitrators shall have full authority to determine by and to whom any costs incurred in connection with any arbitration shall be paid, but any costs which should be paid by an owner shall be directed by the award to be paid to the treasurer of the township or county; the award as to costs shall not take effect until the road is purchased, and if any costs are directed to be paid to the said treasurer by any owner the same shall be deducted from the price of the road. Costs to be in discretion of arbitrators.

(10) The award of the arbitrators shall become final and absolute at the expiration of thirty days from the filing, thereof with the clerk of the county or township as the case may be but the Court or a Judge may, under special circumstances, allow an appeal after fourteen days to the High Court of Justice, and such appeal may be heard before a Judge sitting in Court, as appeals from the Master are heard, and the Judge may, upon the appeal, either amend the said award in any way and to any extent that he may deem proper, or refer the same back to the arbitrators for amendment in whole or in part, with such directions as to law or fact as he may deem proper, or he may confirm the same. When award to be final.

9. After the award of the arbitrators has become absolute or settled on appeal the township or county council, as the case may be, may, in the manner provided for in *The Municipal Act*, pass a by-law for borrowing the amount required to purchase the said roads, in accordance with the award of the arbitrators, by the issue of debentures of the municipality, payable in not more than twenty years. The county council may provide by such by-law for raising any amount required to pay and may pay to any municipality or municipalities which are not materially or are only slightly benefited by the purchase of Appeal from: award. Power to borrow money for purchase of road.

of the road or roads, such a sum, by way of bonus, as may be deemed a fair or partial equivalent for the amount which such municipalities will be required to pay towards the said purchase or any part thereof.

Alternative
by-law may be
adopted.

10. In the alternative, where the roads to be purchased or taken are situate in but one or in a small number of the municipalities of the county, or where some of the municipalities are not, in the opinion of the arbitrators, interested in the roads, or in the abolition of the tolls, the arbitrators may, in addition to all other matters hereinbefore mentioned, report whether, in their opinion, the by-law of the county council should be a sectional by-law, and applied to such of the municipalities as, in the opinion of the arbitrators, should pay for the roads. In such case the by-law of the council for raising or providing money for the purchase next hereinafter mentioned, may, if the council think proper, name the municipalities or portions of municipalities which shall be liable to repay to the county the amount paid for the purchase of the roads or abolition of tolls as aforesaid, and may also fix the amount for which each said municipality shall be liable. In adopting a by-law under this section the council may provide a bonus as in the last preceding section, if they think proper.

Statement to
be furnished
to municipi-
palities by
county clerk.

11. The county clerk shall, on or before the 31st day of December in each year, send to the clerk of each municipality interested, a written statement of the amount to be levied during the ensuing year by such municipality for the purpose of providing the amount necessary to meet the said annual payments of principal and interest, and the council of said municipality shall levy such amount accordingly.

Applying tolls
in payment of
debentures.

12. Instead of raising by taxation for the repayment of debentures the full amount of the purchase money of any toll road as in the preceding section mentioned, the council of any township or county may defer the abolition of tolls for a period of not more than ten years and may apply the proceeds of such tolls *pro tanto* towards the payment of such debentures, but in all such cases the municipality or municipalities interested as may be set forth in the by-law to that effect, shall maintain such road out of the general taxation on the assessed property of the municipality.

Abolition of
tolls on town-
ship road.

13. Where a toll road is owned by the township within which it is situated the council of the township shall, within three months after the receipt of a petition signed by fifty ratepayers, pass a by-law fixing a date when the collection of tolls shall cease, said date not to be more than ten years from the passing of such by-law. Such by-law may be submitted to the rate-payers for approval as the council may deem expedient.

14. Where a municipal council has passed a by-law for the abolition of tolls as in the preceding sections mentioned, all tolls thereafter collected shall be paid over monthly to the treasurer of the municipality, and shall be applied to the maintenance of roads within the municipality as the council may by by-law direct.

Application of tolls pending cesser.

15. On the completion of the purchase of the roads by any county, and upon the removal of tolls therefrom all tolls shall be removed from the roads owned by any city or town within such county within the limits of such city or town. Upon the removal of the tolls from any road under this Act, the responsibility of thereafter maintaining and keeping the same in repair shall rest upon the local or minor municipalities through which the same pass as in the case of ordinary highways.

Tolls on roads belonging to cities and towns to be abolished on removal of tolls from roads purchased by counties.

16. Section 34 of *The General Road Companies Act* is hereby repealed and the following substituted in lieu thereof :

Rev. Stat. 193, s. 34 repealed.

34. All municipal authorities representing the interests of the locality, through or along the boundary of which any toll road passes, shall set apart as a fund for the purchase of such road all taxes collected from such road company and all dividends received on the stock of the same, which may be owned by such municipality ; and such municipalities and all cities, towns and villages, within three miles of said road, may add to such purchase fund from the other monies of the municipality ; and such fund may be invested from time to time in the stock of such road company, or where such road is not owned by a company in purchasing a fixed interest therein. On the completion of the purchase of the whole of the stock of said company by the municipality or municipalities, and payment of any debt incurred therefor, or sooner if the council of the municipality or municipalities shall so decide, all gates shall be removed from such toll road.

Acquiring interest in roads until municipality is sole owner.

17. Chapter 239 of the Revised Statutes of Ontario, 1897, is repealed.

Rev. Stat., c. 239, repealed.

CHAPTER 34.

An Act respecting Sanitary Regulations in Unorganized Territories.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Regulations
as to sanitary
matters in
unorganized
territory.

1. The Lieutenant-Governor in Council may from time to time make regulations applicable only within those parts of the Province which are without municipal organization ;

- (1) Respecting any particular industry and the conditions under which the same may be carried on for the purpose of preventing nuisances and the outbreak or spread of disease ;
- (2) For the cleansing, regulating and inspection of lumbering camps and of mining camps and of railway construction works and of other places where labour is employed ;
- (3) For providing for the inspection of houses and premises ;
- (4) For providing for the employment of duly qualified medical practitioners by employers of labour in lumbering camps and in mining camps and on railway construction works and other works where labour is employed, and for the erection of permanent or temporary hospitals for the accomodation of persons so employed ;

May be
general
special.

2. Regulations made under this Act may be general in their application or may be made applicable specially to any particular locality or industry.

Apportion-
ment.

3. Notwithstanding anything in *The Public Health Act* contained, the expenses of carrying out regulations made under this Act shall be paid to the person entitled thereto by the persons, firms or corporations whose duty it may be to carry out such regulations and the amount so to be paid shall be apportioned by the Minister to whose department the Provincial Board of Health is for the time being attached, among
such

such persons, firms and corporations in such manner as he shall deem proper, and every amount so apportioned shall be deemed to be a debt due from any such person, firm or corporation, and may be recovered by the person entitled thereto in an action brought in any court of competent jurisdiction.

4. This Act shall be read with and as part of *The Public Health Act*. Act incorporated with Rev. Stat. 248.

CHAPTER 35.

An Act to further improve The Factories Act.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows. —

1. Sub-section (4) of section 15 of *The Ontario Factories Act* is amended by inserting in the first line after the word "provided" the words, "by the owner of the factory," and subsection (5) of the same section is amended by adding thereto the following: Rev. Stat. c. 256, s. 15, sub-ss. 4, 5, amended.

"And the owner of any factory who does not provide the equipment, accommodation, or conveniences required in sub-sections (3) and (4) of this section within two months after receiving from the inspector notice in writing in regard to the same shall be deemed to be guilty of a contravention of the provisions of this Act and shall be liable to the penalty provided in section 19 of this Act." Penalty for not providing certain accommodation.

2. Section 20 of *The Ontario Factories Act* is hereby amended by adding thereto the following sub-sections: Rev. Stat. c. 256, s. 20, amended.

(f) Inflammable material such as coal oil or petroleum benzine and naphtha, and explosives of all kinds shall be kept stored when not in actual use in a building separated from the Inflammable materials, storing of.

the other parts of the factory, or in a fire-proof compartment of the factory approved of by the inspector.

Boiler—in-
spection of.

(g) No boiler shall be used that is not insured in some boiler inspection company duly authorized in the Province for that purpose, or that has not been inspected within one year by a competent inspector, such inspector to be a man who has had charge of a boiler and engine for a period of not less than five years, or who holds a certificate as a stationery engineer, and the manager or proprietor shall, whenever so, requested by the inspector, produce for examination the insurance policy or the certificate of inspection.

Rev. Stat.
c. 256, s. 21,
sub-s. 2, 3,
repealed.

Provisions as
to fire escape
appliances.

3. Subsections (2) and (3) of section 21 of *The Factories Act* are hereby repealed and the following substituted therefor :

(2). The owner of every factory over two stories in height, and where deemed necessary by the inspector, the owner of every factory over one storey in height, shall within six months from the time of the passing of this Act, provide the said factory with one or more systems of fire escape as follows, and shall keep the same in good repair :

(a) A sufficient number of tower stairways with iron doorways within reach of or having easy communication with all the working rooms of the factory ; or

(b) a sufficient number of iron or other unflammable fire escapes on the outside of the building, such fire escapes to consist of stairways with railing or iron ladders and to be connected with the interior of the building by iron or tinned doors or windows with iron shutters, and to have suitable landings at every storey including the attic if the attic is occupied as a work-room, and the said stairways to start at a distance of not more than eight feet from the ground or pavement ; or

(c) any other system or form of fire escape that may be sanctioned under this Act by the Lieutenant-Governor in Council on the recommendation of the Factories Inspectors.

Penalty.

(3). The owner or proprietor of any factory refusing or neglecting to provide the means of safe exit in case of fire prescribed in this section shall upon conviction thereof incur and be liable to a fine of not more than \$500 with costs of prosecution and in default of immediate payment of such fine and costs, be liable to imprisonment within the common gaol of the county for a period of not more than twelve months.

Rev. Stat.
c. 162,
amended.

4. The following is added to *The Ontario Factories Act* as section 51 :

Certificate of
inspection be-

51. The owner proprietor or manager of any factory hereafter established and to which this Act applies, shall not begin operations

operations until he shall have received from the Factory Inspector a certificate of inspection of the factory, and a permit to operate the same; and any such person violating the provisions of this section shall be liable to the penalties provided for in section 19 of this Act.

CHAPTER 36.

An Act to amend The Ontario Shops Regulation Act.

Assented to 15th April, 1901

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Section 13 of *The Ontario Shops Regulation Act* is amended by adding thereto the following sub-sections: Rev. Stat.
c. 257 s. 14
amended.

(3) The owner of every shop shall be held responsible for the providing of the sanitary conveniences provided under sub-section (2) of this section and on failure or refusal to provide the same within two months after receiving written notice from the inspector, shall be liable on conviction to a fine of not more than \$500; or in default of payment of the same, shall be imprisoned for a period of not more than twelve months. Penalty for
not providing
conveniences
etc.

(4) Where grinding, polishing or buffing is carried on in any shop, the provisions of section 16 of *The Ontario Factories Act* shall apply to such shop.

2. Section 39 of *The Ontario Shops Regulation Act* is repealed and the following substituted therefor: Rev. Stat.
c. 257 s. 39
repealed.

39. No person shall require, permit or suffer any employee in any bake shop to work on Sunday, nor for more than twelve hours out of every twenty-four hours computed from the Hours of
labour in bake
shops.

the time when the employee commences to work, nor more than sixty hours in any one week to be computed as commencing on Monday and ending on Saturday, both days inclusive, except by permission of the inspector given in writing to the employer: and a copy of such permission shall be posted in a conspicuous place in the bake shop.

BARBER SHOPS.

Rev. Stat.
c. 257 amended.

3. The said Act is further amended by adding thereto the following as sections 45 and 46.

Barber shops
not to be
open on
Sunday.

45. No employer shall require, permit or suffer any employee in any barber shop to work on Sunday, and no proprietor of any barber shop shall open his barber shop or permit the same to be opened to the public or carry on any business or work therein at any time between the hours of 12 o'clock on Saturday night and 12 o'clock on Sunday night.

Penalty.

46. Any employer or any proprietor of a barber shop who violates the provisions of the preceding section shall on conviction thereof be liable to a penalty of not less than \$20 besides costs and of not more than \$50 besides costs, and in default of payment of the same, shall be imprisoned for a period of not less than thirty days and of not more than six months.

CHAPTER 37.

An Act to amend The Ontario Fisheries Act, 1900.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. This Act may be cited as *The Ontario Fisheries Act*, Short title, application of Act. 1901, and the provisions of this Act apply to the sections and sub-sections of *The Ontario Fisheries Act, 1900*, as hereinafter specified.

2. Section 3 is amended as follows : Sub-section 1 by striking out all words therein after "Ontario" in the third line thereof ; and sub-section 2 by striking out all words therein after "Act" in the sixth line thereof. 63 V. c. 50, 3, sub-s. 1, 2, amended.

3. Section 10 is repealed, and the following substituted therefor : 63 V. c. 50, s. 10, repealed.

10. The Lieutenant-Governor in Council may, from time to time, make regulations, and may, from time to time, vary, amend, alter or repeal all and every such regulation as may be found necessary or deemed expedient for the better management and regulation of Crown lands leased under the operation of this Act, or of regulations made thereunder, and the fishing rights thereto pertaining, or for the regulation of any fishing lease or license or permit which may be made or granted by virtue of this Act or of said regulations, and to prevent the destruction of fish, and to forbid fishing in any waters within the Province, except under authority of a fishing license, and for the purpose of carrying the provisions of this Act into effect, and all regulations so made, shall have the same force and effect as if herein contained and enacted, and every offence against any such regulation may be stated as having been made in contravention of this Act. Regulations by Lieutenant-Governor-in-Council. New Brunswick, 1899, c. 7, s. 24 ; P.E.I., 1899, c. 4, s. 22.

4. Section 12 is amended by inserting after the word "prescribed" in the fourth line of the section, the words "as above limited by section 10." 63 V. c. 50, s. 12, amended.

63 V. c. 50, s. 13, repealed. **5.** Section 13 is repealed, and the following is substituted therefor:

Penalty for fishing without a license, etc.

13. Whoever shall fish in Provincial waters without a permit, lease or license, wherein fishing is prohibited, except by lease or license, shall for each offence be liable to the penalty provided by section 53 of this Act and costs; and in default of payment of such fines and costs, shall be imprisoned for a period not exceeding three months.

63 V. c. 50, s. 15, amended. **6.** Section 15 is amended by inserting after the word "behalf," in the sixth line of the said section, the words "as above limited by section 10."

63 V. c. 50, s. 22, amended. **7.** Section 22 is amended by inserting after the word "any," in the third line of the said section, the word "lease."

63 V. c. 50, s. 28, repealed. **8.** Section 28 is repealed, and the following substituted therefor:

Taking spawn, etc., for breeding purposes.

28. No fish or fish spawn shall be taken in any manner from Provincial waters for the purpose of stocking, artificial breeding, or for scientific purposes, without a written permit so to do signed by the Commissioner or Deputy Commissioner of Fisheries. Subject always to any regulations or restrictions made or prescribed by or under any lawful authority in that behalf.

63 V. c. 40, s. 34, repealed. **9.** Section 34 is repealed and the following substituted therefor:—

Fishery overseers, powers of.

34. Where any lease or license so provides fishery overseers shall determine and direct where nets may be set, and the distance to be maintained between each and every location of nets (in this section called "fishery"), and shall forthwith remove any fishery which the owner neglects or refuses to remove in compliance with any such determination and direction; and such owner so neglecting or refusing, after forty-eight hours' notice, shall be moreover liable for a violation of this Act, and for the cost and damages of removing such fishery; but nothing in this section shall empower the fishery overseer to authorize the setting of nets in waters other than those described in the license.

63 V. c. 50, s. 36, amended. **10.** Section 36 is amended by adding after the word "stations" in the second line, and after the word "apparatus" in the third line, the words "in Provincial waters."

63 V. c. 50, s. 38, repealed. **11.** Section 38 is repealed.

12. Section 41 is repealed and the following substituted therefor : 63 V. c. 50, s. 41, repealed.

41. All fish companies and fish dealers purchasing fish taken in Provincial waters, shall keep a record in the form approved by the Department of the different kinds and quantities of fish taken or caught in provincial waters and purchased by him or them respectively, with the date, name and address of the person from whom purchased, such book to be open for the inspection of the overseer at all reasonable times ; and a monthly abstract from such book shall be forwarded by the said fish companies or fish dealer or dealers to the Department, such abstract to be forwarded on or before the fifth day of each month and to cover the record of the preceding calendar month. Record to be kept by fish companies, etc.

13. Section 44 is repealed, and the following substituted therefor : 63 V. c. 50, s. 44, repealed.

44. No one shall sell, barter or traffic in speckled trout, bass, or maskinonge taken or caught in Provincial waters before the first day of July, 1903. Certain fish not to be sold before 1st July, 1903.

14. Section 45 is repealed, and the following substituted therefor : 63 V. c. 50, s. 45, repealed.

45. No sturgeon shall be caught, taken or killed in Provincial waters by any means whatever without a license first had and obtained from the Commissioner or Deputy Commissioner, subject to any regulations or restrictions made or prescribed by or under any lawful authority on that behalf. Sturgeon not to be taken without license.

15. Section 46 is repealed, and the following substituted therefor : 63 V. c. 50, s. 46, repealed.

46. (1) Excessive or wasteful fishing, or fishing during prohibited seasons, shall also involve the cancellation of the lease covering the waters in which it has taken place, or of any license or permit, with the knowledge or participation of the lessee or licensee. Cancelling license or permit for wasteful fishing.
- (2) The contravention of any regulations or restrictions made or prescribed by or under any lawful authority in that behalf in respect of limitations in the size, numbers or weight of fish taken, or in respect of the fish which shall be required to be returned to waters whence taken, shall be deemed to be an infraction of the provisions of this section. Contravention of regulations.

16. Sections 47, 48, 49 and 50 are repealed.
7 s.

63 V. c. 50, ss. 47-50, repealed
17

63 V. c. 50, s.
51, sub-s. 1,
amended.

17. Sub-section 1 of section 51, is amended by striking out the words "by angling" in the first line, and striking out the words "an angling" in the fourth line and inserting the words "a permit or" in place thereof.

63 V. c. 50, s.
51, sub-s. 2,
amended.

(2) Enumeration (a) of subsection 2 of section 51 is amended by striking out the word "angler's" in the first line.

(3) Enumeration (c) of subsection 2 of section 51 is repealed.

(4) Enumeration (g) of subsection 2 of section 51 is amended by striking out the word "angle" in the second line and inserting the word "fish" in place thereof.

CHAPTER 38

An Act respecting the Education Department.

Assented to 15th April, 1901.

SHORT TITLE, s. 1.

DEPARTMENT OF EDUCATION, s. 2.

JURISDICTION, s. 3.

POWERS, ss. 4, 5.

EDUCATIONAL COUNCIL, s. 6.

MINISTER OF EDUCATION, ss. 7, 8.

REGULATIONS AND ORDERS IN COUNCIL, s. 9.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Education Department Act*. R. S. O. 1897, c. 291, s. 1. Short title.

2. There shall continue to be a Department of Education which shall consist of the Executive Council, or a committee thereof, appointed by the Lieutenant-Governor; and one of the said Executive Council, to be nominated by the Lieutenant-Governor, shall hold the office of "Minister of Education." R. S. O. 1897, c. 291, s. 2. Department established.

3. Subject to any statute in that behalf the Education Department shall have the management and control of the following, namely: Kindergartens, Public and Separate Schools, High Schools and Collegiate Institutes, Art Schools, Model Schools, Normal Schools, the Ontario Normal College, Teachers' Institutes and Public Libraries; with power to appoint such inspectors, teachers and other officers for instruction and supervision as may be deemed expedient. R. S. O. 1897, c. 291, s. 3. Jurisdiction of the Department.

4. The Education Department shall have power, subject to the provisions of any statute in that behalf, to make regulations:— Powers of department to make regulations as to certain matters.

1. For the classification, organization, government and examination of all schools and institutes hereinbefore mentioned, and for the equipment of school houses and the arrangement of school premises; and for determining the fees to be paid by candidates at departmental examinations;

2.

2. For the authorization of text-books for the use of pupils and teachers in training attending such schools or institutes, and for the selection of books of reference for the use of teachers and pupils, and for the management of public and school libraries ;

3. For determining the qualifications and duties of inspectors, examiners and teachers of such schools and institutes, and for the appointment from time to time of such examiners as may be requisite for that purpose ;

4. For the payment of the allowances of superannuated inspectors and teachers, and the distribution of all moneys set apart by the Legislative Assembly for educational purposes.

5. For extending on such evidence as to efficiency as may be deemed necessary, any certificate issued under the authority of *The Public Schools Act* ;

6. For the study of agriculture, domestic economy and for scientific instruction as to the nature of alcoholic stimulants and narcotics with special reference to their effect upon the human system ; R. S. O., 1897, c. 291, s. 4, subs. 1-6.

7. For affiliating with the Ontario Normal College, or the Normal Schools, such High Schools or Collegiate Institutes, or Public Schools, as may be necessary for practical instruction in the art of teaching. (*New.*)

8. For accepting in lieu of the annual departmental examination the certificate of any normal school or the examination of any university in the British Dominions and for accepting on the recommendation of the Educational Council such evidence of scholarship, professional training, or experience, as may be deemed equivalent to what is prescribed for teachers' certificates. R. S. O., 1897, c. 291, s. 4 subs. 8 *amended*.

9. For setting apart a separate school in any city or county as a model school for the training of teachers for separate schools, and in such case, appointing a competent person possessing the qualifications prescribed by *The Public Schools Act*, to be a member of the county board of examiners of such city or county in addition to the number now authorized. R. S. O. 1897, c. 291, s. 4 subs. 9.

5. The Education Department shall have power (a) to call for competitive plans of school buildings with all modern improvements suitable for schools of from one to four teachers, and to appoint a board of not more than three architects to examine such plans and to report with respect to the same to the Minister of Education ; (b) to affiliate one or more of the public schools in any city in which a Normal School is situated, with such Normal School for practice in teaching by Normal School students, and (c) to appropriate out of moneys voted by the Legislature for public and separate schools, a sum not exceeding \$5 for every school in which the regulations

Competition
in plans for
school build-
ings.

tions of the Department as to equipment, ventilation, heating, lighting and the care of the premises generally have been complied with. 62 V. (2) c. 36 s. 12.

6. For the purpose of conducting the examinations prescribed by the Education Department, and the annual examination for matriculation into the University of Toronto (not including the examinations known as the Supplemental or the Scholarship examinations unless requested so to do by the Senate of the said University) there shall be established an Educational Council of twelve persons to be appointed by the Lieutenant-Governor in Council on or before the 15th of October in each year. The Senate of the University shall have power to nominate six of the twelve persons to be so appointed, and, in the event of the Senate failing or neglecting to make such nominations on or before the date above mentioned, the Lieutenant-Governor in Council may make such appointments. Vacancies in the Council shall be filled by the Lieutenant-Governor in Council, but if the vacancy occur among the members nominated by the Senate, the Senate shall have power to nominate a person to fill such vacancy.

(2) The Senate may withdraw the conduct of the annual Matriculation examination aforesaid from the Educational Council on giving notice of such withdrawal to the Minister of Education, on or before the 15th of October in any year; in such case, the right of the Senate to nominate Members of the Council shall cease and determine and the Lieutenant-Governor in Council may thereafter appoint the full Council. Should the Council fail or neglect to perform any of the duties assigned to it, then such duties may be performed by the Education Department.

(3) The first meeting of the Council in each year shall be called by the Minister of Education. The Council shall appoint its own chairman, and shall hold such meetings from time to time as may be necessary for the transaction of its proper business. Four members shall form a quorum. The Registrar of the Council shall be appointed by the Education Department.

(4) The Council shall appoint examiners well qualified by experience as teachers in either a University or High School for the purpose of preparing uniform examination papers for the combined Matriculation examination aforesaid and the Departmental examinations conducted upon the same course of study. The Council shall also appoint associate examiners for reading the answer papers of candidates at such examinations and such associate examiners shall be persons actually engaged in teaching, and graduates of a University in the British Dominions or specialists according to the Regulations of the Education Department; the number to be appointed from year to year for each examination paper shall be determined by the Minister of Education.

(5) The associate examiners shall be selected from lists, to be furnished by the Minister of Education, of persons qualified as above; such list shall contain at least twice the number of persons to be appointed. No examiner or associate examiner shall be appointed, to whom objection is taken by four of the Members of the Council nominated by the Senate, or by four of the persons appointed by the Lieutenant-Governor in Council without such nomination.

(6) The Council shall have power to instruct the examiners with respect to the character of the examination papers to be prepared by them and the number of questions on each paper. The Council shall direct the associate examiners during the reading of the answer papers, and settle the results of the examination and report thereon. The powers of the Council in all matters in this subsection contained shall be subject to such regulations as may be agreed upon from time to time by the Education Department and the Senate of the University.

(7) The Council shall, subject to the regulations of the Education Department, appoint such examiners and associate examiners as may be required for preparing, reading and valuing the examination papers of candidates at all other Departmental examinations or for reading the answer papers of candidates who have appealed to the Minister of Education for a re-examination of their answer papers, and for settling the results of such examinations.

(8) The members of the said Council shall constitute a consultative committee to confer with the Minister on such matters as he may, from time to time, submit to them.

(9) Except in the case of an emergency, no examiner or associate examiner shall be appointed for more than three consecutive years. All presiding examiners charged with the conduct of examinations at High Schools and other centres shall be appointed by the Education Department and shall be subject to the regulations of the Education Department from time to time. R.S.O. 1897, c. 291, s. 5, 63 V. c. 52, s. 1.

Powers of
Minister.

7. It shall be the duty of the Minister of Education and he shall have power:—

Apportion-
ment of
grant.

1. To apportion all sums of money voted by the Legislative Assembly for public and separate schools among the several counties, townships, cities, towns, and incorporated villages according to the population in each as compared with the whole population of the Province, as shewn by the last annual returns received from the municipal clerks, (provided that the amount payable in every rural school in the territorial districts shall be at least \$100), and to see that the money so apportioned is paid on or before the first day of July in each year to the treasurer of every county, city, town and village as the Lieutenant-Governor in Council may direct;

Grant payable
on the first of
July in each
year.

2. To divide the amount so apportioned between public and separate schools according to the average number of pupils attending such schools respectively, during the next preceding twelve months, or during the number of months which may have elapsed from the establishment of a new separate school as compared with the whole average number of pupils attending school in the same city, town, village or township ;

Division
between pub-
lic and sepa-
rate schools.

3. To direct the county inspector to distribute among the school sections of each township under his jurisdiction the public school grant according to the average attendance of pupils at each public school as compared with the whole average number of pupils attending the public schools of the township. All such grants shall be payable by the township treasurer to the order of the secretary or secretary-treasurer of the board of trustees on the inspector's order. Notice of such distribution shall be given by the inspector to the trustees concerned.

Distribution
of grant.

4. To apportion all sums of money voted by the Legislative Assembly for high school purposes among the several high schools of the Province subject to the regulations of the Education Department on the basis of average attendance, the salaries paid to teachers, the provision made for teaching the subjects on the course of study, the extent and suitability of the school site, and the character and equipment of the school buildings and their appendages; to give notice of such apportionment to the county clerk of each county, and to see that the same is paid to the high school treasurer as the Lieutenant-Governor in Council may direct ;

High School
grant, how
paid.

5. To apportion out of any grant made by the Legislative Assembly for such purposes, all sums payable under any statute in that behalf towards the maintenance of the normal college, normal schools or other schools or institutes for the training of teachers, county model schools, public libraries, art schools, inspection of schools, and the examination of teachers, and all other incidental departmental expenses subject to the regulations of the Education Department ;

Other grants,
how paid.

6. To submit a case on any question arising under *The Public Schools Act* or *The High Schools Act*, or under *The Separate Schools Act* to any Judge of the High Court for his opinion and decision, or, with the consent of such Judge, to a Divisional Court of the said High Court for its opinion and decision ;

Minister may
submit ques-
tions arising
upon school
law to High
Court.

7. To decide upon all disputes and complaints laid before him the settlement of which is not otherwise provided for by law, and upon all appeals made to him from the decision of any inspector or other school officer ;

Power to
settle disputes
and com-
plaints

8. To appoint one or more persons, as he may deem expedient, to inquire into and report to him upon any school matter. Such person or persons, or any of them, shall have power to administer oaths to witnesses, or require them to make

Power to
appoint com-
missioners.

make solemn affirmation of the truth of the matters they may be examined upon ;

Compelling attendance of witnesses.

9. To apply to the High Court for a writ of subpœna *ad testificandum* and also *duces tecum* upon the *præcipe* of the Minister of Education therefor, containing the names of the witnesses intended to be summoned thereby, such writ to be directed to the person who is required to attend and give evidence under oath, at such times, and places, and before such person or persons as the Minister shall appoint ; and default of any person in obeying such subpœna shall be punishable as in any action or cause in the said Court ;

Annual report to be made by Minister of Education.

10. To report annually to the Lieutenant-Governor upon all the schools and institutes herein mentioned, with such suggestions for promoting education generally as he may deem expedient. R. S. O. 1897, c. 291, s. 6.

Powers of minister as to separate schools not affected.

8. Except as provided in sections 3 and 4 of this Act nothing in this Act contained shall be deemed, taken or construed as, in any manner or for any purpose, altering, varying or affecting any power, right or authority which, before the passing of this Act, was by law vested in or held, had or possessed by the Minister of Education or the Department of Education in respect either to Roman Catholic Separate Schools or of any matter or thing whatsoever pertaining to or affecting said Separate Schools. R. S. O. 1897, c. 291, s. 7.

Regulations and Orders in Council to be laid before the Legislative Assembly.

9. (1)—Every regulation or Order in Council made under this Act or under the public, separate or high schools Acts, shall be laid before the Legislative Assembly forthwith if the Legislature is in session at the date of such regulation or Order in Council, and if the Legislature is not in session such regulation or Order in Council shall be laid before the said House within the first seven days of the session next after such regulation or Order in Council is made.

(2) In case the Legislative Assembly at the said session, or if the session does not continue for three weeks after the said regulation or Order in Council is laid before the House, then at the ensuing session of the Legislature, disapproves by resolution of such regulation or Order in Council either wholly or of any part thereof, the regulation or Order in Council, so far as disapproved of, shall have no effect from the time of such resolution being passed. R. S. O. 1897, c. 291, s. 8.

Repeal.

10. The following Acts of the Province of Ontario are repealed : Revised Statutes of Ontario, 1897, chapter 291 ; 63 Victoria, chapter 52.

CHAPTER 39

An Act respecting Public Schools.

Assented to 15th April, 1901.

SHORT TITLE, s. 1.	BY-LAWS ALTERING BOUNDARIES, TIME FOR MOVING TO QUASH, s. 55.
INTERPRETATION, s. 2.	URBAN SCHOOL BOARDS, ss. 56-58.
EXISTING ARRANGEMENTS CONTINUED, s. 5.	Incorporated villages, s. 59.
PUBLIC SCHOOLS TO BE FREE, s. 6.	Election of trustees, ss. 60-63.
RELIGIOUS INSTRUCTION, s. 7.	Meetings of board, s. 64.
CONTINUATION CLASSES, s. 8.	Duties of trustees, ss. 65-69.
INSTRUCTION IN AGRICULTURE, s. 9	TOWNSHIP ASSESSMENT FOR SCHOOLS, ss. 70-73.
SCHOOL CORPORATIONS, s. 10.	SCHOOL DEBENTURES—
BOARDS OF EDUCATION, s. 11.	In rural sections, s. 74.
RURAL PUBLIC SCHOOLS—	School rates, s. 75.
School sections, s. 12.	In urban sections, s. 76.
Annual meeting, s. 14.	TREASURERS OF SCHOOL MONEYS, s. 79.
Election of trustees, ss. 15, 16.	TEACHERS—
Organization and duties of Board, s. 17.	Duties, s. 80.
Secretary-treasurer, ss. 18, 19.	Agreements with, s. 81.
Requisites of valid corporate acts, s. 20.	Certificates to, s. 82.
Admission of pupils at urban schools, s. 21.	COUNTY BOARDS OF EXAMINERS, s. 83.
Auditors, ss. 22-24.	COUNTY MODEL SCHOOLS, s. 84.
SECTIONS IN UNORGANIZED TOWNSHIPS, s. 25.	TEACHERS' INSTITUTES, s. 85.
ASSESSMENT ROLLS, ss. 26, 27.	INSPECTORS, ss. 86, 87.
UNSURVEYED DISTRICTS, s. 28.	ALLOWANCES TO ARBITRATORS AND INSPECTORS, s. 88-90.
COLLECTOR, s. 29.	SUPERANNUATION, ss. 91-94.
TOWNSHIP BOARDS, ss. 30-33.	NON-RESIDENT PUPILS, s. 95.
RURAL SCHOOL SITES, ss. 34-40.	HOLIDAYS, s. 96.
ALTERATION OF SCHOOL BOUNDARIES, s. 41.	AUTHORIZED BOOKS, s. 97.
APPEALS RESPECTING SCHOOL BOUNDARIES, ss. 42-44.	APPEALS FROM DIVISION COURT DECISIONS, s. 98.
UNION SCHOOL SECTIONS, ss. 45-51.	SCHOOL VISITORS, s. 99.
UNIONS WITH URBAN MUNICIPALITIES, ss. 52, 53.	PENALTIES AND PROHIBITIONS, ss. 100-121.
EQUALIZATION OF UNION SCHOOL ASSESSMENTS, s. 54.	Recovery of penalties, s. 122.
	CONFIRMING AND REPEALING CLAUSES, ss. 123, 124.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as "*The Public Schools Act*," R.S.O. Short title. 1897, c. 292, s. 1.

2. Where the words following occur in this Act, they shall Interpretation. be construed in the manner hereinafter mentioned, unless a contrary intention appears:—

- "Teacher." 1. "Teacher" shall mean any person holding a legal certificate of qualification ;
- "County." 2. "County" shall include a union of counties ;
- "Township." 3. "Township" shall include unions of townships made for municipal purposes ;
- "School site." 4. "School site" shall mean such area of land as may be necessary for the school house, teacher's residence, caretaker's residence, offices and playgrounds connected therewith ;
- "School section." 5. "School section" shall mean the municipality or any portion thereof, or any portion of two or more municipalities under one public school corporation ;
- "Owner." 6. "Owner" shall include a mortgagee, lessee or tenant, or other person entitled to a limited interest, and whose claims may be dealt with by arbitration as herein provided ;
- "Ratepayer." 7. "Ratepayer" shall mean any person entered on the last revised assessment roll of the school section for public school rates ;
- "Board of trustees." 8. "Board of trustees" shall include a board of education in all cases of a union between public and high school trustees
- "Urban municipality." 9. "Urban municipality" shall mean a city, town or incorporated village.
- "The Municipal Act." 10. "The Municipal Act" shall mean *The Municipal Act*, as amended from time to time by the Legislature of this Province. R.S.O. 1897, c. 292, s. 2.

Application of regulations. 3. All regulations made under the *The Education Department Act*, shall apply to any matter or thing in this Act contained, so far as the same are consistent with this Act, though not specially referred to in any section thereof. R.S.O. 1897, c. 292, s. 3.

No rate on supporters of Roman Catholic separate schools. 4. Nothing in this Act authorizing the levying or collecting of rates on taxable property for public school purposes shall apply to the supporters of Roman Catholic separate schools R.S.O. 1897, c. 292, s. 4.

Existing school arrangements continued. 5. All boards of education, and all public school sections or other public school divisions, together with all elections of trustees and appointments to office, all agreements, contracts, assessments, and rate-bills heretofore duly made in relation to public schools, and existing when this Act comes into force shall continue subject to this Act. R.S.O. 1897, c. 292, s. 5.

PUBLIC SCHOOLS TO BE FREE.

Public schools to be free. 6. All schools established under this Act shall be called public schools and shall be free schools, and every person between the age of five and twenty-one years shall have the

the right to attend some school. Pupils may attend kindergarten schools from four to seven years of age, subject to such fees as to the trustees may seem expedient. R. S. O. 1897, c. 292, s. 6.

RELIGIOUS INSTRUCTION.

7.—(1) No person shall require any pupil in any public school to read or study in or from any religious book, or to join in any exercise of devotion or religion, objected to by his or her parents or guardians. Religious exercises.

(2) Pupils shall be allowed to receive such religious instructions as their guardians or parents desire, according to any regulations provided for the organization, government and discipline of public schools. R. S. O. 1897, c. 292, s. 7.

CONTINUATION CLASSES.

8.—(1) The school corporation of any municipality or section in which there is no high school shall have power to establish in connection with the public school over which it has jurisdiction, such courses of study in addition to the courses already provided for the fifth form of public schools as may be approved by the regulations of the Education Department. The classes established under such courses shall be known as "Continuation Classes." Continuation classes where there is no high school.

(2) The trustees of any number of public school corporations may, by mutual agreement, determine that continuation classes shall be conducted in one only of the schools under the jurisdiction of the corporations entering into such agreement, and in all such cases the trustees shall have the same power to provide, by rates levied on the taxable property of their respective sections, for the tuition of pupils attending such continuation classes as they possess under this Act for the tuition of pupils attending the schools under their immediate jurisdiction. Grouping of schools.

(3) No pupil shall be admitted to the course prescribed for continuation classes who has not passed the entrance examination to a high school or some higher examination, or whose qualifications for admission have not been approved by the principal of the school and the public school inspector of the district in which the school is situated. Qualification for continuation classes.

(4) Non-resident pupils and all other pupils who have completed the course of study prescribed for the fifth form of public schools whether resident or non-resident, may be charged such fees as the trustees may deem expedient. Fees of pupils.

(5) Any teacher who at the date of this Act, holds the position of principal of any school in which a continuation class Qualification

has been established shall be deemed a qualified teacher of such school, but every teacher appointed principal after the date of this Act whose classes consist entirely of pupils who have passed the entrance examination shall be the holder of at least a first-class certificate.

Legislative
and county
grants.

(6) The Minister of Education shall apportion among the schools conducting continuation classes, such sums of money as may be appropriated by the Legislature, subject to the regulations of the Education Department. The municipal council of the county shall pay for the maintenance of such classes a sum equal to the legislative grant appropriated by the Minister of Education for such class and any further sums the municipal council may deem expedient. 62 V. (2) c. 36, s. 1.

Appointment
of instructors
in agriculture.

9.—(1) The council of every municipality may, subject to the regulations of the Education Department, employ one or more persons holding the Degree of Bachelor of the Science of Agriculture or a certificate of qualification from the Ontario Agricultural College, to give instruction in agriculture in the public schools of the municipality, and the council shall have power to raise such sums of money as may be necessary to pay the salaries of such instructors, and all other expenses connected therewith. Such course of instruction shall include a knowledge of the chemistry of the soil, plant life, drainage, the cultivation of fruit, the beautifying of the farm, and generally all matters which would tend to enhance the value of the products of the farm, the dairy and the garden.

(2) The trustees of any public school or any member of boards of such trustees, may severally or jointly engage the services of any person qualified as in the preceding section for the purpose of giving similar instruction to the pupils of their respective schools, providing always that such course of instruction shall not supersede the instruction of the teacher in charge of the school, as required by the regulations of the Education Department.

Course in
agriculture to
be open to all
residents.

(3) As far as practicable, the course of lectures in agriculture by such temporary instructor shall occupy the last school period of each afternoon and shall be open to all residents of the school section or municipality. 63 V. (2) c. 36, s. 13.

Trustees to be

10. The trustees of every school section shall be a corporation under the name of "The Board of School Trustees for School Section of the Township of in the County of ", as the case may be.

Trustees,
term of office
of.

(2) For every rural school section there shall be three trustees, each of whom, in rotation, shall hold office for three

years, and until his successor has been elected. The persons qualified to be elected trustees shall be such persons as are British subjects and resident ratepayers or farmers' sons, being residents within the meaning of *The Municipal Act* of the full age of twenty-one years, not disqualified under this Act.

Trustees,
qualification
of.
R. S. O. 1897,
c. 223.

(3) No school corporation shall cease to exist by reason of the want of trustees, but in case of such want any two ratepayers of the section, or the inspector, may, by giving six days' notice, to be posted in at least three of the most public places of the section, call a meeting of the ratepayers, who shall proceed to elect three trustees, in the manner prescribed in section 14 and the following sections of this Act; and the trustees thus elected shall hold office in the manner prescribed by this Act.

Corporation
not to cease
by want of
trustees.

Tenure of
office.

(4) Where the ratepayers of any school section, for two years neglect or refuse to elect trustees, the municipal council of the township may appoint trustees for the said school section, who shall hold office for the same term as if elected by the ratepayers; or the municipal council may by by-law declare such section dissolved, and shall (in case of dissolution) attach the same, in such proportions as they may deem expedient, to adjoining sections. The assets of every section so dissolved shall be disposed of as may be determined by the municipal council. R. S. O. 1897, c. 292, s. 9.

Council may
appoint trustees
when no
election.

Dissolution of
school section
on non-election
of trustees.

BOARDS OF EDUCATION.

11. The trustees of any public and high school may unite, as provided in *The High Schools Act* for the management of the public and high schools of any municipality as one corporation, under the name "The Board of Education for the city, town, incorporated village or township of" (*as the case may be*). Boards of education shall have the powers of both public and high school trustees. R. S. O. 1897, c. 292, s. 10.

Unions of
public and
high school
boards.

RURAL PUBLIC SCHOOLS.

12.—(1) The municipal council of every township (except where township boards have been established), shall subdivide the township into school sections, so that every part of the township may be included in some section, and shall distinguish each section by a number; provided that no section formed hereafter shall include any territory distant more than three miles in a direct line from the school-house.

School
sections in
townships.

(2) Where the land or property of any individual or company is situated within the limits of two or more school sections, the parts of such land or property so situated shall be

Assessors to
value lands
situated in
each section.

assessed and returned upon the assessment roll separately, according to the divisions of the school sections within the limits of which such land or property is situate.

Area of
new school
sections.

(3) No section shall be formed which contains less than fifty children, between the ages of five and twenty-one years, whose parents or guardians are residents of the section, unless such section is more than four square miles in area, except in cases where such area cannot be obtained because of lakes or other natural obstacles.

Township
clerk to pre-
pare maps of
school sec-
tions.

(4) It shall be the duty of every township clerk to prepare in duplicate, a school map of the township, showing the divisions of the township into school sections and parts of union school sections; to furnish one copy of such map to the county clerk, for the use of the county council, and retain the other in the township clerk's office, for the use of the township corporation.

Proceedings
on formation
of new school
section.

(5) Where a new school section is formed in any township the clerk of the township shall cause notice of the first annual meeting to be posted in three of the most public places in the new section, at least six days before the last Wednesday in December, in the year in which such new section was formed; and the first meeting in every new school section shall be held at the same time and conducted in the same manner as the annual meeting in organized school sections.

Term of
office of trus-
tees, first elec-
tion.

(6) At the first meeting in every new section the first trustee elected shall hold office for three years, the second for two years and the third for one year. In case of a poll being taken the trustees shall rank in seniority according to the number of votes polled. The casting vote of the chairman shall be counted as a vote in case of a tie. R. S. O. 1897, c. 292, s. 11.

Who may vote
on school
questions.

13. Every ratepayer, of the full age of twenty-one years, who is a public school supporter of the section for which such person is a ratepayer and every person qualified to vote as a farmer's son under *The Municipal Act* shall be entitled to vote at any election for school trustee, or on any school question whatsoever. R. S. O. 1897, c. 292, s. 12.

R.S.O. 1897,
c. 223.

ANNUAL MEETING OF RATEPAYERS.

Annual meet-
ing, when
held.

14.—A meeting of the ratepayers of every section shall be held annually on the last Wednesday of December, or if such Wednesday be a holiday, then on the next day following, commencing at the hour of ten o'clock in the forenoon, for the purpose (among other things) of electing a school trustee or trustees.

(2) In case, from the want of proper notice or other cause, any first or annual school meeting was not held at the proper time, the inspector, or any two ratepayers in the section may call a school meeting, by giving six days' notice, to be posted in at least three of the most public places in the school section; and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

Meetings to be called in default of first or annual meeting.

(3) The ratepayers of a school section present at any school meeting shall elect one of their own number as chairman to preside over its proceedings, and shall also appoint a secretary, who shall record the minutes of the meeting, and perform such other duties as may be required of him by this Act.

Order of business.

(4) The chairman shall submit all motions to the meeting in the manner desired by the majority. In case of an equality of votes, he shall give the casting vote but no other vote. He shall decide all questions of order, subject to an appeal to the meeting.

Chairman, duties of.

(5) The business of every school meeting may be conducted in the following order:—(a) receiving the annual report of the trustees, and disposing of the same; (b) receiving the annual report of the auditor or auditors, and disposing of the same; (c) electing an auditor for the ensuing year; (d) miscellaneous business; (e) instructing the trustees by resolution, if deemed expedient, to insure the school buildings and furniture; (f) fixing the remuneration if any to be paid the secretary-treasurer for attending to repairs and other duties assigned him by the board of trustees; (g) electing a trustee or trustees to fill any vacancy or vacancies. R S. O. 1897, c. 292, s. 13.

Order of business.

ELECTION OF RURAL SCHOOL TRUSTEES.

15.—(1) A poll may be demanded by any two ratepayers at any meeting for the election of trustees, or for the settlement of any school question, and such poll shall be granted by the chairman forthwith, if demanded, within ten minutes after the vote of the meeting has been declared from the chair.

Poll to be granted on application of two rate-payers.

(2) When a poll is granted for the election of a trustee the secretary shall enter in a poll-book, in separate columns, the names of the candidates proposed and seconded at the nomination, and shall, opposite to such columns, write the names of the ratepayers offering to vote at the election within the time prescribed by this Act, and shall, in the column on which is entered the name of a candidate voted for by a voter, set the figure '1' opposite the voter's name, with the residence of the voter.

Proceeding in case of a poll.

(3) When a poll is granted upon any public school question the name of each voter shall be similarly placed in separate columns, marked "for" or "against."

Entries in poll-book.

When voter is
objected to.

(4) In case objection is made to the right of any person to vote at any school meeting, the chairman of the meeting, or other presiding officer (if the name of such person appears on the assessment roll relating to such section) shall require such person to make the following declaration or affirmation:

Declaration.

(1) I, A. B., do declare and affirm that I am an assessed ratepayer (or farmer's son entitled to vote under *The Municipal Act*) in school section No.

(2) That I am of the full age of 21 years ;

(3) That I am a supporter of the public school in said school section No.

(4) That I have the right to vote at this election.

Whereupon the person making such declaration shall be entitled to vote.

When poll
shall close.

(5) The poll at every election of a rural school trustee or on any school question, shall not close before twelve o'clock noon, but may close at any time thereafter when a full hour has elapsed without any vote having been polled, and shall not be kept open later than four o'clock in the afternoon of the day on which the election or voting is commenced; and when the poll is closed the chairman and secretary shall count the votes polled for the respective candidates or for the school question submitted, as the case may be, and shall declare the candidate elected for whom the highest number of votes was polled, and in case the majority of votes is cast in favour of the adoption of the school question submitted, he shall declare the same adopted. In case of a tie the chairman shall give the casting vote.

Copy of min-
utes to be sent
to inspector.

(6) A correct copy of the minutes of the first and of every annual and of every special school meeting, and a copy of the poll-book where a poll has been taken (all of which shall be signed by the chairman and secretary), shall be forthwith transmitted by the chairman of the meeting to the county inspector.

Acceptance
of office by
trustees

(7) The secretary of every school meeting at which any person or persons were elected as school trustees shall forthwith notify in writing each of such persons of his election, and every person so notified shall be considered as having accepted such office unless a notice to the contrary effect has been delivered by him to the chairman of the meeting within twenty days after the date of the election.

Complaints as
to elections.

(8) When complaint is made to the inspector by any ratepayer that the election of a trustee, or that the proceedings or any part thereof of any school meeting, have not been in conformity with this Act, the inspector shall investigate the same, and confirm or set the election or proceedings aside, and appoint the time and place for a new election, or for the reconsideration of the school question at issue, but no complaint in regard to any election or proceeding at a school meeting shall be entertained by any inspector unless made to him in

writing within twenty days after the holding of the election or meeting.

(9) It shall be the duty of the municipal clerk to supply a list of the persons qualified to vote in any school section when required by the board of trustees or by the public school inspector in the case of any investigation or dispute with regard to the election of a school trustee. R.S.O. 1897, c. 292, s. 14; 62 V. (2) c. 36, s. 2.

Clerk to supply list of school voters.

16. A trustee elected to fill a vacancy shall hold office only for the unexpired term of the person in whose place he has been elected. A trustee of a rural school section may resign with the consent, expressed in writing, of his colleagues in office. A retiring trustee may be re-elected with his own consent, otherwise he shall be exempted from serving for four years next after leaving office. R.S.O. 1897, c. 292, s. 15.

Term of vacancies.
Trustees may resign.
Re-election of any trustee lawful.

ORGANIZATION OF THE BOARD.

17. (1) Every board of rural school trustees shall hold its first meeting at the school house of the section over which it has jurisdiction, on the Wednesday following the annual meeting, at the hour of 4 o'clock in the afternoon and shall be organized by the election of a chairman, a secretary and a treasurer or a secretary-treasurer. A majority of the board shall form a quorum.

Organization of board.

(2) It shall be the duty of the board of trustees at its first meeting to examine the school house, outbuildings and school furniture, maps and apparatus, with a view to ascertain what repairs or improvements may be necessary, and to make suitable provision for lighting fires and keeping the school house and premises in a cleanly and sanitary condition by appointing some person for that purpose. Subsequent meetings shall be held as the board may deem expedient. R. S. O. 1897, c. 292, s. 16.

Inspection of school property at first meeting of board.

SECRETARY TREASURER.

18. (1) The treasurer or secretary-treasurer, who may be a member of the board, shall give such security as may be required by a majority of the trustees—such security to be deposited with the clerk of the municipality;

Security to be given by secretary-treasurer.

(2) The treasurer or secretary-treasurer shall receive all school moneys collected from the ratepayers or other persons and shall account for the same and shall disburse all moneys as directed by the trustees. He shall produce when called for by the trustees, auditors or other competent authority, all papers and money belonging to the corporation.

(3) Where the majority of a board of trustees refuse or neglect to take security from the treasurer or secretary-treasurer on the demand of any trustee (such demand being duly entered on the minutes) such trustee shall be relieved from all personal liability in case of the default of such officer.

Compensation of secretary-treasurer.

(4) The secretary or secretary-treasurer may be allowed such compensation for his services or for attending to the repairs of the schoolhouse or premises as shall be agreed upon by resolution of the annual meeting duly entered on the minutes. R. S. O. 1897, c. 292, s. 17.

Duties of secretary-treasurer.

19. It shall be the duty of the secretary or secretary-treasurer:—

Minutes of meetings.

1. To keep a full and correct record of the proceedings of every meeting of the board in the minute-book provided by the trustees for that purpose, and to see that the minutes, when confirmed, are signed by the chairman or presiding trustee ;

Calling special meetings.

2. To call, at the request in writing of two trustees, or on the petition of ten ratepayers, a special meeting of the board of trustees ;

Names and addresses of trustees and teachers to be given to township clerk.

3. To give notice in writing, before the 15th day of January in each year, to the inspector and to the clerk of the township, of the names and post-office addresses of the several trustees then in office, and of the teachers employed by them, and to give reasonable notice in writing from time to time of any changes therein ;

Notice of annual meeting and meetings to fill vacancies in board, etc.

4. To give the notice required by this Act of each annual school meeting of the ratepayers of the section ; to call a special meeting of the ratepayers when directed by the trustees, or on the petition of ten ratepayers, for filling any vacancy in the board of trustees occasioned by death, removal, or other cause ; or for the selection of a new school site ; or the appointment of a school auditor ; or any other lawful school purpose ; and to cause notices of the time and place, and of the objects of such meeting, to be posted in three or more public places in the section, at least six days before the time of holding such meeting ;

Notice.

Report at annual meeting.

5. To cause to be prepared for the annual meeting of the ratepayers, a report for the year then ending, containing, among other things, a summary of the proceedings of the trustees during the year, together with a detailed account of all school moneys received and expended on behalf of the section, for any purpose whatsoever, during such year. Such report shall be signed by the trustees and by either or both of the school auditors of the section ;

Annual and semi-annual returns.

6. To transmit to the inspector all returns on or before the fifteenth day of January in each year according to the forms prescribed by the Education Department. R. S. O. 1897, c. 292, s. 18.

20. No act or proceeding of a rural school corporation which is not adopted at a regular or special meeting at which at least two trustees are present shall be valid or binding on any person affected thereby, unless notice of such meeting has been given to the trustees by the secretary, or by one of the trustees to the others, either personally or in writing, and a minute of such act or proceeding is made in writing and signed by two of the trustees. R. S. O. 1897, c. 292, s. 19.

Corporate acts must be adopted at lawful trustee meetings.

21. The ratepayers of any rural school section may by resolution at the annual or any special meeting, authorize the trustees to provide for the admission of the pupils of such section to the schools of any adjoining city or town, subject to the approval of the Minister of Education and the trustees of such city or town, and such arrangement so approved shall be taken in lieu of the accommodation which trustees are required by this Act to make for the pupils of the section, and as a public school within the meaning of section 70 of this Act. In such cases it shall be lawful for the trustees to levy and collect upon the taxable property of the section such sums as may be necessary to pay the fees of pupils attending the schools of the city or town, and also such other sums as they may deem expedient, or as may be required by this Act. The average attendance of the pupils belonging to such section at such schools shall be taken by the inspector as the basis on which to divide any grants authorized by the Legislature to be paid to the township to which such section belongs. R. S. O. 1897, c. 292, s. 20.

Providing for admission of pupils from rural school section to urban schools.

AUDITORS.

22.—Every board of rural school trustees shall, on or before the first day of December, appoint an auditor, and in case of their neglect, or the neglect of the ratepayers at an annual or special meeting to do so, or in case of an auditor being appointed or elected who refuses, or is unable to act, then the inspector shall at the request in writing of any two ratepayers make the appointment.

Appointment of auditors.

(2) The trustees, or their secretary-treasurer shall lay all their accounts before the school auditors of the section, or either of them, together with the agreements, vouchers, contracts and books in their possession, and the trustees or their secretary-treasurer, shall afford to the auditors, or either of them, all the information in their or his power as to the receipts and expenditure of school moneys.

Trustees and secretary-treasurer to lay accounts, etc., before auditors.

(3) The auditors appointed, or one of them, shall, on or immediately after the first day of December in each year, appoint a time, before the day of the next ensuing annual school meeting, for examining the accounts of the school section. R. S. O. 1897, c. 292, s. 21.

Time of audit.

Duties of
auditors.

23. It shall be the duty of the auditors of every school section :—

1. To examine into and decide upon the accuracy of the accounts of the section, and whether the trustees have duly accounted for and expended for school purposes the moneys received by them, and to submit the said accounts, with a full report thereon at the next annual school meeting.

2. In case of difference of opinion between the auditors on any matter in the account, it shall be referred to and decided by the county inspector.

3. If both of the auditors object to the lawfulness of any expenditure made by the trustees, they shall submit the matters in difference to the annual meeting, which may either determine the same, or submit the matter to the Minister of Education, whose decision shall be final. R. S. O. 1897, c. 292, s. 22.

Powers of
auditors.

24. It shall be competent for the auditors or one of them :—

(1) To require the attendance of all or any of the persons interested in the accounts, and of their witnesses, with all such books, papers, and writings as the auditor or auditors may direct them, or either of them, to produce ; and to administer oaths to such persons and witnesses.

(2) To issue their or his warrant to any person named therein, to enforce the collection of any moneys by them awarded to be paid ; and the person named in the warrant shall have the same power and authority to enforce the collection of the moneys mentioned in the said warrant, with all reasonable costs by seizure and sale of the property of the party or corporation against whom the same has been issued, as any bailiff of a division court has in enforcing a judgment and execution issued out of such court.

(3) The auditors shall remain in office until their audit is completed. R. S. O. 1897, c. 292, s. 23.

SECTIONS IN UNORGANIZED TOWNSHIPS.

Formation of
school sec-
tions.

25. (1) In unorganized townships in any county or district the public school inspector of the county or district may form a portion of a township, or of two or more adjoining townships, into a school section.

Limits of sec-
tion.

(2) No section shall, in length or breadth, exceed five miles in a straight line, and, subject to this restriction, the boundaries may be altered by the inspector from time to time, and the alteration shall go into operation on the 25th day of December thereafter ; provided no school section shall be formed except on the petition of five heads of families resident therein.

(3) Any person whose place of residence is at a distance of more than three miles in a direct line from the site of the schoolhouse of the section shall be exempt from all rates for school purposes, unless a child of such ratepayer attends such school; but this exemption shall not apply to lands liable to taxation for school purposes owned by such person within the distance of three miles. Exemption from rate account of distance.

(4) After the formation of a school section, it shall be lawful for any two of the petitioners, by notice posted for at least six days in not less than three of the most public places in the section, to appoint a time and place for a meeting for the election, as provided by law, of three school trustees for the section. Election of school trustees.

(5) The trustees elected at such meetings, or at any subsequent school meetings of the section, as provided by law, shall have the powers and be subject to all the obligations of public school trustees generally. Trustees' powers and obligations. R. S. O. 1897, c. 292, s. 24.

REVISION OF ASSESSMENT ROLLS.

26.—(1) The secretary-treasurers of all boards of public school trustees in unorganized townships shall be, *ex officio*, members of a court of revision, and three of them, acting together, shall be a legally constituted court for the revision and correction of school section assessment rolls, and for the hearing and settlement of any appeals against the same. The members of such court shall be paid reasonable travelling expenses by their respective boards of trustees for attendance as a court of revision. Court of Revision.

(2) The inspector of schools for the district shall divide the school sections into groups of three sections in every group, or as near thereto as practicable, and shall notify the secretary-treasurers of the sections concerned of the group to which they respectively belong. Such grouping may be changed from year to year as the inspector may direct. Sections to be divided into groups.

(3) In every case where from the sparseness of settlements, it would be inconvenient for a court of revision as herein constituted to meet for the revision and equalization of the assessment roll, it shall be lawful for the inspector, on the request of any board of trustees, to assume the functions of such court of revision for the section on behalf of which such request is made, whereupon he shall be the court of revision for such section and all the proceedings of the inspector in the matter of the revision or correction of the assessment roll, shall be subject to the provisions of this Act, and shall have the same effect as if made in a court of revision constituted under the preceding subsection. When inspector to act as court of revision. R. S. O. 1897, c. 292, s. 25.

27.—(1) The trustees of all school sections in unorganized townships shall, annually, appoint a duly qualified person to make out an assessment roll for the section, the secretary-treasurer of which shall submit a certified copy of the same to the Annual assessment roll.

the proper Court of Revision for the correction of errors or improper entries that may be found therein.

Assessor to
make oath.
Rev. Stat.
1897, c. 224.

(2) The person appointed for preparing such assessment roll shall be subject to the provisions of *The Assessment Act* with regard to the equitable rating of all taxable property in such school section, and shall, before returning his assessment roll to the secretary of the school section, attach thereto a certificate signed by him and verified upon oath or affirmation according to the form prescribed in *The Assessment Act*.

Appeal
against assess-
ment.

(3) A copy of the roll as corrected shall be open to inspection by all persons interested, at some convenient place in the section, notice whereof, signed by the secretary-treasurer of the section, shall be annually posted in at least three of the most public places in the section, and shall state the place and the time at which the court will hear appeals against the said assessment roll, and such notice shall be posted as aforesaid by the trustees for at least three weeks prior to the time appointed for hearing the appeals.

Manner of
appeal.

(4) All appeals shall be made in the same manner and after the same notice, as nearly as may be, as appeals are made to a court of revision in the case of ordinary municipal assessments, and the court of revision, as constituted according to section 26, shall have the same powers as ordinary municipal courts of revision.

Confirmed roll
binding.

(5) The annual roll, as finally passed and signed by the chairman of the court of revision, shall be binding upon the trustees and ratepayers of the section, until the annual roll for the succeeding year is passed and signed as aforesaid.

Appeals in
unorganized
townships.

(6) Where any township under the jurisdiction of a township board is unorganized, appeals against its certified assessment roll, shall be made to the Stipendiary Magistrate or Judge of the district or county.

Union school
sections.

(7) In forming union school sections between and out of an organized township municipality and an unorganized township or locality within any territorial or judicial district, it shall be lawful for such union school section to be formed or altered according to the provisions of this Act, except that the inspector shall act for the unorganized township or locality, and the reeve of the organized township for his township. R.S.O. 1897, c. 292, s. 26.

UNSURVEYED DISTRICTS.

Schools in
unsurveyed
districts.

28.—(1) In any portion of the Province not surveyed into townships, the inhabitants thereof who are twenty-one years of age, may at a public meeting called for that purpose, elect three of their number to serve as public school trustees, and the trustees so elected shall have all the powers of trustees in unorganized townships, and shall in all other respects be subject to the provisions of this Act.

(2) On receipt of notice by the Education Department signed by the trustees so elected, that a public school has been established and suitable accommodation provided for public school purposes, the Minister of Education may pay over to the trustees out of the appropriation made by the Legislature for public schools such sum of money for their maintenance as may be approved by the Lieutenant-Governor in Council. R.S.O. 1897, c. 292, s. 27.

Notice to the Minister of Education.

COLLECTOR.

29.—(1) The trustees may appoint some fit and proper person, or one of themselves, to collect the rates imposed by them upon the ratepayers of their school section, or the sums which the inhabitants or others may have subscribed, or a rate-bill imposed on any person; and may pay to such collector at the rate of not less than five, or more than ten per centum on the moneys collected by him; and every collector shall give such security as is satisfactory to the trustees, which security shall be lodged for safe keeping with the inspector by the trustees.

Appointment and duties of school collector.

(2) Every collector shall have the same powers in collecting the school rate, rate-bill, or subscriptions, and shall be under the same liabilities and obligations, and proceed in the same manner in the school section or township, as a township collector in collecting rates in his township, as provided in the Municipal and Assessment Acts from time to time in force. R.S.O. 1897, c. 292, s. 28.

Powers and liabilities of school collector.

TOWNSHIP BOARDS.

30. In districts composed of more than one township, but without county organization, it shall be optional with the municipal councils thereof to form portions of the townships comprising the district into school sections, or to establish a board of public school trustees, two members being elected for each ward, and if not divided into wards, two for each township thereof, and such board shall possess all the powers and duties of township boards, and shall also, upon the petition of at least five heads of families, provide school accommodation and a teacher for their children and others. R.S.O. 1897, c. 292, s. 29.

Boards in municipalities without county organization.

31.—(1) In case twenty ratepayers in more than one half of the school wards of the township petition the township council to submit a by-law to the vote of the ratepayers of the township for the repeal of any by-law under which a township school board was established a by-law shall be submitted to such vote accordingly, and the proceedings shall be in conformity with *The Municipal Act*, except that the vote shall not be by ballot; and in case in the majority of such wards the majority of the votes are for such repeal, the township council shall pass a by-law to disestablish such township school board.

Petition for repeal of by-law and for reforming sections.

Rev. Stat. c. 223.

board, and form school sections instead thereof; but no repeal shall take effect until the twenty-fifth day of the month of December next following the voting upon the by-law for that purpose.

Adjusting
claims.

(2) The council shall, in the same or by another by-law, appoint the inspector jointly with two other competent persons, not residents of the township, and they or any two of them shall, in a report to the council, value the schoolhouses, school sites, and other school property which may thereupon become the property of each school section, and shall also adjust and settle the respective rights and claims consequent on such repeal between the respective school sections, or between any school section, and the township, and all payments to be made by or to any of them. R.S.O. 1897, c. 292, s. 30.

Commissions
to readjust
school sections
in sparsely
settled dis-
tricts.

32.—(1) On the report of any public school inspector that the attendance at the schools in the outlying and sparsely settled portions of his inspectorate is so small as to justify the consolidation of two or more of such sections with a view to the transportation of the pupils to some central school thereafter to be determined upon, the Lieutenant-Governor in Council may appoint a commission of not more than three persons, of whom the public school inspector shall be one, whose duty it shall be to re-arrange such school sections, having regard to the settlements and the facilities for transportation in order that the number of sections may be reduced and the pupils conveyed from their homes to school in the most convenient manner.

Publication of
report and
voting
thereon.

(2) On the receipt of the report of the commission, the Lieutenant-Governor in Council may cause the same to be published in the sections to be affected by such consolidation in such manner as may be deemed expedient and on a day to be fixed by the said Lieutenant-Governor the ratepayers shall vote "yea" or "nay" on said report.

Adoption of
report and
rearrange-
ment of
sections.

(3) If a majority of the ratepayers vote "yea" then the boundaries of the section so settled shall be the legal boundaries of the school sections concerned from and after the 25th day of December next following such vote, until altered as provided by this Act.

(4) The ratepayers of the sections so formed shall, on the date fixed by this Act for the annual meeting of rural sections, meet and elect three trustees for the sections so formed as in the case of the organization of new sections under this Act.

(5) It shall be the duty of the trustees in the case of all sections formed as herein provided, in addition to the other duties imposed by this Act, to provide for the transportation of all pupils to and from school who reside more than one-half mile from such school, and the trustees shall have power to

to levy and collect the cost of such transportation as other expenses of the section are levied and collected. 62 V. (2) c. 36, s. 14.

33. The trustees of any public school in the unorganized townships of the Territorial Districts of Algoma, Nipissing, Parry Sound and Muskoka may issue debentures, for the purchase of a school site and the erection of a school-house, paying in ten equal annual instalments, or such other sums as the trustees may deem expedient, providing always that the proposal to issue such debentures has been sanctioned, by resolution, at a special meeting of the ratepayers of the section; such debentures shall be signed by the trustees of the section, and sealed with the corporate seal, and shall be a charge upon the assessable property of the school section. The debentures shall, as near as may be, comply with Form A prescribed by this Act. 62 V. (2) c. 36, s. 15.

Issuing debentures for school sites and houses in certain districts.

RURAL SCHOOL SITES.

34.—(1) The trustees of every rural school section shall have power to select a site for a new schoolhouse or to agree upon a change of site for an existing schoolhouse, and shall forthwith call a special meeting of the ratepayers of the section to consider the site selected by them; and no site shall be adopted, or change of school site made, except in the manner hereinafter provided, without the consent of the majority of such special meeting.

New sites.

(2) In case a majority of the ratepayers present at such special meeting differ as to the suitability of the site selected by the trustees, each party shall then and there choose an arbitrator, and the county inspector, or, in case of his inability to act, any person appointed by him to act on his behalf, shall be a third arbitrator; and such three arbitrators, or a majority of them present at any lawful meeting, shall have authority to make and publish an award upon the matter submitted to them.

When trustees and ratepayers differ as to site.

Award.

(3) With the consent, or at the request of the parties to the reference, the arbitrators, or a majority of them, shall have authority, within one month from the date of their award, to reconsider such award and within two months thereafter to make and publish a second award, which award (or the previous one, if not reconsidered by the arbitrators) shall be binding upon all parties concerned for at least five years from the date thereof. R. S. O. 1897, c. 292, s. 31.

Reconsideration of award.

35.—(1) If the owner of the land selected for a new school site, or required for the enlargement of school premises, refuses to sell the same, or demands therefor a price deemed unreasonable by the trustees of any section, then such owner and the trustees shall each forthwith appoint an arbitrator, and the arbitrators

Where owner refuses to sell.

arbitrators thus appointed, together with the inspector, or in case of his inability to act, any person appointed by him on his behalf as third arbitrator, or any two of them, shall appraise the damages for such land.

Appointment
of arbitrators
—their
powers.

(2) If the majority of the school trustees, or the majority of a public school meeting, neglect or refuse, where there is a difference in regard to the selection of a school site, to appoint an arbitrator, as provided in this Act, or if the owner of land selected as a school site, neglects or refuses to appoint an arbitrator, it shall be competent for the inspector with the arbitrator appointed, to meet and determine the matter; and the inspector in case of such refusal or neglect, shall have a second or casting vote if he and the arbitrator appointed do not agree.

Proceedings
where an ar-
bitrator is ab-
sent.

(3) If only a majority of the arbitrators appointed to decide any case arising under the authority of this Act are present at any lawful meeting, in consequence of the neglect or the refusal of the other arbitrator to meet them, it shall be competent for those present to make and publish an award upon the matter or matters submitted to them, or to adjourn the meeting for any period not exceeding ten days, and they shall give the absent arbitrator notice of the adjournment.

Additional
powers of
arbitrator.

(4) The arbitrators aforesaid, or any two of them, shall have the power to hear and determine all claims or rights of incumbancers, lessees, tenants, or other persons, as well as those of the owner in respect of the land required for the purpose of the school site, upon notice in writing to every such claimant or person.

Taking land.

(5) Upon the tender of payment of the amount of such damages to the owners or other persons entitled thereto, by the school trustees, or its payment into the High Court under the authority hereinafter conferred, the land may be taken and used for the purpose aforesaid. R. S. O. 1897, c. 292, s. 32.

Award to con-
stitute title.

36.—(1) Any award for a school site made and published under this Act, if there be no conveyance, shall thereafter be deemed to be the title of the trustees to the land mentioned in it, and shall be a good title thereto against all persons interested in the property in any manner whatever, and shall be registered in the proper registry office on the affidavit of the secretary-treasurer of the board of trustees verifying the same.

Cost of
arbitration.

(2) The parties concerned in all such disputes shall pay all the expenses incurred in them, according to the award or decision of the arbitrators. R. S. O. 1897, c. 292, s. 33.

Selection of
school site.

37.—(1) A school site shall not be selected in a township within a hundred yards of the garden, orchard, pleasure ground, or dwelling house of the owner of the site without his consent.

Fence.

(2) Any wall or fence deemed necessary by the trustees or required by the regulations of the Education Department for the

the enclosure of the school premises shall be erected and maintained by the board of trustees at the expense of the school section.

(3) It shall not be necessary for the trustees to build a wall or fence along any street or highway for the purpose of enclosing the school premises in any municipality in which a by-law has been passed by the municipal council prohibiting stock from running at large. R.S.O. 1897, c. 292, s. 34; 62 V. (2) c. 36, s. 3. Fences around school property.

38. Where the area of a school site is less than is required by the regulations of the Education Department the trustees may, without reference to a special meeting of the ratepayers, enlarge the same, but no such enlargement shall be made in the direction of, or including an orchard, garden or dwelling-house, without the consent of the owner of the land required, unless the school site cannot be otherwise enlarged. R.S.O. 1897, c. 292, s. 35. Enlargement of school site.

39.—(1) All corporations and persons whatsoever, tenants in tail or for life, guardians, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of those they represent, whether infants, issue unborn, lunatics, idiots, femmes-coverts, or other person, seised, possessed of or interested in any land, may contract for, sell or convey all or part thereof to school trustees for a school site or an addition to the school site, or for a teacher's residence; and any contract, agreement, sale, conveyance and assurance so made shall be valid and effectual to all intents and purposes whatsoever; and the corporations or persons so conveying are hereby indemnified for what they respectively do by virtue of or in pursuance of this Act. Who may convey school sites.

(2) If the owner of land duly selected for the said purpose is absent from the county in which the land lies, or is unknown, the trustees may procure from a sworn surveyor a certificate that he is not interested in the matter; that he knows the land and that some certain sum therein named is, in his opinion, a fair compensation for the same; and on filing the said certificate with the Judge of the County Court of the county in which the land lies, accompanied by an affidavit or affidavits which satisfy the Judge that the owner is absent from the county and that, after diligent inquiry, he cannot be found, the Judge may order a notice to be inserted for such time as he sees fit in some newspaper published in the county; and he may in addition thereto, order a notice to be sent to any person by mail, or may direct service of the same to be effected in such other way as he sees fit. Remedy in case of absence of owner.

(3) The notice shall contain a short description of the land, and a declaration of the readiness of the trustees to pay the sum What notice shall contain

Arbitrators.

sum certified as aforesaid; shall give the name of a person to be appointed as the arbitrator of the trustees if their offer of that sum is not accepted; shall name the time within which the offer is to be accepted, or an arbitrator named by the owner; and shall contain any other particulars which the County Judge may direct.

Judge may appoint arbitrator.

(4) If within such time as the Judge directs, the owner does not notify the trustees of the acceptance of the sum offered by them, or notify to them the name of a person whom he appoints as arbitrator, the Judge shall, on the application of the trustees, appoint a sworn surveyor to be sole arbitrator for determining the compensation to be paid for the property. R.S.O. 1897, c. 292, s. 36.

Responsibility of trustees as to compensation.

40.—(1) Where land is taken by the trustees without the consent of the owner, the compensation to be paid therefor shall stand in the stead of the land; and after the trustees have taken possession of land, any claim to, or incumbrance upon the same or any portion thereof, shall as against the trustees, be converted into a claim to the compensation or to a proportion thereof, and the trustees shall be responsible accordingly whenever they have paid such compensation or any part thereof to a party not entitled to receive the same, saving always their recourse against such party.

In case of incumbrance.

(2) If the trustees have reason to fear any claims or incumbrance, or if any party to whom the compensation or any part thereof is payable refuses to execute the proper conveyance, or if the party entitled to claim the same cannot be found or is unknown to the trustees, or if for any other reason the trustees deem it advisable, they may pay the arbitration and other expenses, and pay the amount of the compensation into the High Court, or in such other manner as the inspector may direct, with interest thereon for six months, and may deliver therewith an authentic copy of the conveyance, or of the agreement or award if there be no conveyance; and such agreement or award shall thereafter be deemed to be the title of the trustees to the land therein mentioned, and shall be a good title thereto against all persons interested in the property in any manner whatever, and shall be registered in the proper registry office on an affidavit of the secretary-treasurer of the board of trustees verifying the same. R.S.O. 1897, c. 292, s. 37.

Payment of compensation money into High Court.

Award to be registered.

ALTERATION OF SCHOOL BOUNDARIES.

Powers of township councils.

41. Every township council shall have power:—

Union of existing sections.

1. To pass by-laws to unite two or more sections in the same township into one, in case at a public meeting in each section called by the trustees or inspector for that purpose, a majority of the ratepayers present at each of such meetings request to be united;

2. To alter the boundaries of a school section, or divide an existing section into two or more sections, or to unite portions of an existing section with another section, or with any new section, in case it clearly appears that all persons to be affected by the proposed alteration, division or union respectively, have been duly notified, in such manner as the council may deem expedient, of the proposed proceeding for this purpose, or of any application made to the council to do so ;

Alteration,
etc., of school
sections.

3. Any such by-law shall not be passed later than the first day of June in any year, and shall not take effect before the 25th day of December next thereafter, and shall remain in force, unless set aside as hereinafter provided, for a period of five years. The township clerk shall transmit forthwith a copy of such by-law and minutes relating thereto to the trustees of every school section affected thereby, and to the public school inspector.

By-law for
altering school
sections.

4. Where part of any school section has been added to a city or town by order of the Lieutenant-Governor in Council, the municipal council in which such section is situated may pass a by-law for the readjustment of the boundaries of the remaining portion of such section, notwithstanding the passing of a by-law within five years affecting the limits of such section or adjoining sections. R. S. O, 1897, c. 292, s. 38.

When part of
section is
added to city
or town.

APPEALS TO COUNTY COUNCIL.

42.—(1) A majority of the trustees, or any five ratepayers of any one or more of the school sections concerned, may within twenty days, by notice filed in the office of the county clerk appeal to the county council of the county in which such section or sections are situated, against any by-law of the township council for the formation, division, union or alteration of their school section or school sections ; or against the neglect or refusal of the township council, on application being made to it by the trustees or any five ratepayers concerned, to form, unite, divide or alter the boundaries of a school section or school sections within the township.

Appeal to
county
council.

(2) The time herein mentioned for appeal shall run from the date of the by-law complained of, or from the date of the meeting at which the council refused to pass such by-law, or from the first meeting after which notice was received from the clerk of the application of the trustees or ratepayers asking for such by-law to be passed, as the case may be.

(3) The county council may if it thinks fit appoint as arbitrators not more than five, nor less than three competent persons two of whom shall be the County Judge, or some person named, by him, and the county inspector, and a majority of whom shall form a quorum to hear such appeal and to form, divide unite or alter the boundaries of the school section or school sections,

Appointment
of arbitrators.

sections, so far as to settle the matters complained of; but the alterations or determination of the said matters shall not take effect before the 25th day of December in the year in which the arbitrators so decide, and shall thence continue in full force for the period of five years at least, and until lawfully changed by the township council.

Who may act
as arbitrators.

(4) No person shall be competent to act as arbitrator, who is a member of the township council, or who was a member at the time at which the council passed, or refused or neglected to pass the by-law or resolution.

Notice.

(5) Due notice of the alterations or the determination of the said matters made by the arbitrators shall be given by the inspector to the clerk of the township, and to the trustees of the school sections concerned. R. S. O. 1897, c. 292, s. 39; 62 V. (2) c. 36, s. 4.

Adjustment of
claims
between
unions in same
township.

43. On the formation, dissolution, division or alteration of any school section in the same township, in case the trustees of the sections interested are unable to agree, the county inspector and two other persons appointed by the township council as arbitrators, shall value and adjust in an equitable manner all rights and claims consequent upon such formation, division, dissolution or alteration between the respective portions of the township affected, and determine in what manner and by what portion or by whom the same shall be settled; and the determination of the said arbitrators or any two of them shall be final and conclusive. R. S. O. 1897, c. 292, s. 40.

Disposal of
school pro-
perty when not
wanted.

44. In case a school site or school-house or other school property is no longer required in a section, in consequence of the alteration or the union of school sections, the same shall be disposed of, in such a manner as a majority of the ratepayers in the altered or united school sections may decide at a public meeting called for that purpose; and the ratepayers transferred from one school section to another shall be entitled, for the public school purposes of the section to which they are attached, to such a proportion of the proceeds of the sale of such school-house or other public school property, as the assessed value of their property bears to that of the other ratepayers of the school section from which they have been separated; and the residue of such proceeds shall be applied to the erection of a new school house in the old school section, or to other public school purposes of such old section. In the case of united sections, the proceeds of the sale shall be applied to the like public school purposes of such united sections. R. S. O. 1897, c. 292, s. 41.

UNION SCHOOL SECTIONS.

Unions exist-
ing 1st April,
1896.

45. All school sections existing on the 1st day of April, 1901, and all union school sections which on that day existed in

in fact, and whether formed in accordance with the provisions of the law in that behalf or not, shall be deemed to have been legally formed, and shall continue to exist, subject, however, to the provisions of this Act so far as applicable as if they had been formed thereunder; and in cases where any union has before said date been adjudged by any Court or Judge to have been illegally formed, or where any proceedings were pending at said date on that ground, further proceedings may be stayed, upon payment of such costs or expenses, if any, as the Court or Judge may award. R. S. O. 1897, c. 292, s. 42.

46. A union school section may be established between (a) What unions may be formed. parts of two or more adjoining townships, or (b) parts of one or more townships and an adjoining urban municipality and union school sections may be formed, altered or dissolved as follows:—

1. On the petition of five ratepayers from each of the municipalities concerned, to their respective municipal councils, asking for the formation, alteration or dissolution of a union school section, each municipal council so petitioned may appoint an arbitrator (who must not be a member of the council), and notice of the appointment shall be sent by the respective clerks to the inspector or inspectors of the district or districts concerned who shall be *ex officio* arbitrators; a council may act upon a petition addressed to the councils concerned or to any two or more of them jointly, if such petition is signed by five ratepayers of the municipality acting thereon. Procedure for formation, alteration or dissolution of union.

2. In cases where the persons so appointed arbitrators would be an even number, the senior County Court Judge, or some person by him appointed to act in his behalf, shall be added, or in the case of an arbitration affecting two or more counties then the senior County Court Judge of the county having the largest population according to the last Dominion census, or some person by him appointed to act in his behalf shall be added. Where even number of arbitrators appointed county judge to act.

3 The first meeting of the arbitrators shall be called by the inspector representing the greatest number of schools, who shall give ten days' notice in writing of such meeting to the clerks of the municipalities concerned. First meeting of arbitrators.

4. In case the arbitrators determine upon the formation of a new union section, or upon the alteration of the boundaries of an existing union school, they shall in their award set forth the specific parcels of land to be included in such new union school section, or in such altered section as the case may be. In the event of the transfer of any parcel or parcels of land from an existing union section to some other section or sections the arbitrators shall in their award set forth to what other section or sections such transfer shall be made, and Award what to contain.

and any such transfer shall be binding and operative for all school purposes till altered as provided by this Act.

5. In case the arbitrators determine upon the dissolution of an existing union they shall set forth in their award the section or sections to which the parcels of land comprising such union shall be attached for school purposes, and any such transfer of the parcels of land comprising a union school section to an adjoining section or sections shall be binding and operative till the boundaries of such section or sections are altered as provided by this Act.

6. Where the arbitrators find that it would be in the interest of the parties concerned, and where in their opinion it is practicable so to do, they may at their discretion form part of the territory of any union section into a non-union section, or form a new union, and in such cases they shall indicate the parcels of land of which such union or non-union section shall be composed. The remainder of the union section shall be disposed of as hereinbefore provided.

7. When a new union school section is formed or an existing union school section altered the arbitrators shall determine and fix the proportion which the part in each municipality shall be liable to contribute towards the erection and maintenance of the school and other requisite expenses, and such determination shall be binding for a period of three years.

8. In any award made under this section the arbitrators shall value and adjust, in an equitable manner, all rights and claims consequent upon the formation, alteration or dissolution of union sections between the respective municipalities, school sections and ratepayers concerned, and shall also determine in what manner and by what municipality or municipalities, or what portions thereof the same shall be paid and the sum of money to be paid by one portion of the municipalities or school sections concerned to the union schools so formed or altered, and the disposition of the property of the union and any payment by one portion to the other and the right of any ratepayer affected by the award, and such valuation adjustment and determination shall form and be considered an integral portion of their award, and shall be binding on the municipalities and school sections concerned, subject to this Act.

9. When a new union school section is formed by arbitration, as herein provided, the inspector authorized under the clause numbered 3 of this section to call the first meeting of the arbitrators, shall call the first meeting for the election of trustees, and shall proceed as the clerk of the municipality is directed to proceed in the case of the formation of a new section under this Act.

10. Such union, alteration or dissolution shall not take effect until the 25th day of the month of December, after the award of the arbitrators or a certified copy thereof is filed with the clerks of the municipalities concerned.

11. No union school section shall be altered or dissolved for a period of five years after the award of the arbitrators has gone into operation, whether such award did or did not change the boundaries of existing sections, but nothing herein contained shall be construed as restraining any municipal council from enlarging the boundaries of any union school section from time to time as may be deemed expedient. Provided always that two-thirds of the ratepayers of any union school section may, at the expiration of three years from the date of the formation of such union section, petition the municipal council or councils concerned for a reconsideration of any award for the formation of any union school section made under this Act, and such petition shall be taken in lieu of the petition or petitions for the formation, alteration or dissolution of the union school section concerned, referred to in sub-section 1 of this section. R.S.O. 1897, c. 292, s. 43; 62 V. (2), c. 36, s. 5.

Reconsideration of union school section's award.

47. Where the territory which it is proposed to form into a union school section or where the union school section which it is proposed to alter or dissolve, lies wholly within a county the trustees or any five ratepayers in the territory or union section concerned, or the inspector or inspectors, may within one month after the making thereof appeal in writing to the county council against any award made by the arbitrators either for or against the formation, alteration or dissolution of such section, or against the neglect or refusal of the township council or councils concerned to appoint arbitrators, as provided in section 46 of this Act, and on receipt of such appeal the county council shall have power to appoint not more than three arbitrators, who shall neither be ratepayers in the territory or school section concerned, nor members of the municipal councils concerned, and such arbitrators shall have all the powers of arbitrators appointed under section 46, and the decision of a majority of them shall be final and conclusive. The first meeting of such arbitrators shall be called by the county clerk. R. S. O. 1897, c. 292, s. 44.

Appeal relating to union school within a county.

48. Where the territory which it is proposed to form into a union school or where the union school section which it is proposed to alter or dissolve, lies partly within two or more counties, the trustees or any five ratepayers in the territory or union school section concerned, or the inspector or inspectors, may within one month after the making thereof appeal against any award made by arbitrators for or against the formation, alteration or dissolution of such section, or against the refusal or neglect of the township council or councils concerned to appoint arbitrators, to the Minister of Education, who shall have power to alter, determine or confirm such award, or where no award was made, then at his discretion to appoint not more than three arbitrators who shall have all the powers of arbitrators appointed under section 43 of this Act, and the decision

Appeal relating to union school within two or more counties.

of a majority of them shall be final and conclusive. The first meeting of such arbitrators shall be called by the Minister of Education. R. S. O. 1897, c. 292, s. 45.

Collection of rates in union school sections.

49. The collectors of each municipality in which a part of a union section is situate shall collect the school rates for that part; and the amount collected from the several ratepayers in each part of the union section shall be paid by the respective collectors to the treasurer of the municipality in which such part of the union section is situate, and the treasurer shall pay over the same without any charge or deduction to the trustees entitled thereto. R. S. O. 1897, c. 292, s. 46

School sections when municipality divided.

50. When any township municipality is divided by Act of the Legislature for municipal purposes, all school sections which may, by such division, be situated partly in each of the newly formed municipalities, shall be deemed union sections until otherwise altered under the provisions of this Act. R. S. O. 1897, c. 292, s. 47.

Election of trustees, and inspection of union school sections.

51. Every union school section shall, for the election of trustees, be deemed one school section, and shall be considered in respect to inspection as within the municipality in which the school-house is situated, or if there be two or more school-houses then in the municipality having the largest amount of assessed property. R. S. O. 1897, c. 292, s. 48.

UNIONS WITH URBAN MUNICIPALITIES.

Continuation of boundaries of rural sections.

52. (1) In case a portion of the territory composing one or more school sections becomes incorporated as an urban municipality, the boundaries of such school section or sections shall continue in force and shall be deemed a union school section, and the provisions of this Act respecting the election of public school trustees in urban municipalities shall apply thereto until such union is altered or dissolved as provided by this Act.

Where rate-payers to vote when municipality divided into wards.

(2) In the case of an urban municipality divided into wards to which a part of an adjoining township or townships is attached for school purposes, the board of trustees of such union school section shall by resolution determine in which ward or wards the ratepayers of the township shall vote for the election of school trustees and at elections on other school questions, and in case of no such resolution, then such portion of the township shall be considered for all election purposes as attached to the ward or wards adjacent, and if two or more wards are adjacent any such ratepayer may vote in either of such wards. R. S. O. 1897, c. 292, s. 49.

Where part of a township is annexed to a city.

53. Where any portion of a township municipality is annexed to an urban municipality by proclamation, the portion so annexed shall for all school purposes be deemed to be part of such city or town, provided
always

always that when the portion annexed does not include the whole of any contiguous school section, the respective municipalities shall, unless determined by mutual agreement between themselves after such annexation, each appoint an arbitrator who, with the senior County Judge of the county, shall value and adjudge in an equitable manner the rights and claims of all parties affected by such annexation, and shall determine by what municipality or portion thereof, the same shall be adjusted, paid or settled.

(2) The award of the arbitrators shall be final and conclusive, and the money found due, either by mutual agreement or under the award, shall be deemed money for school purposes and the provisions of section 74 of this Act shall not apply to the money so required to be paid under the award or mutual agreement, and a debenture or debentures may issue to be payable out of the taxable property of that part of the school section remaining in the indebted municipality, upon a requisition of the trustees of said school section, without calling a special meeting of the electors, and upon the terms and conditions set forth in a by-law of the said municipality, anything in this Act to the contrary notwithstanding.

(3) In all cases in which two municipal corporations are united by proclamation or by any Act of the Legislature, all the assets and liabilities of each school corporation shall be assumed by the school corporation of the united municipality. Adjustment of assets and liabilities upon union of municipalities R. S. O. 1897, c. 292, s. 50.

EQUALIZATION OF UNION SCHOOL ASSESSMENTS.

54.—(1) Once in every three years the assessors of the municipalities in which a union school section is situated, shall, after they have completed their respective assessments and before the first day of June, meet and determine what proportion of the annual requisition made by the trustees for school purposes shall be levied upon and collected from the taxable property of the respective municipalities out of which the union school section is formed. Notice of such determination shall be given forthwith to the secretary-treasurer of the union school section concerned, and to the clerks of the respective municipalities. In any municipality where more than one assessor is appointed and employed, the reeve or mayor of the municipality shall name the assessor who shall act for and on behalf of such municipality. Assessors to determine proportion.

(2) In the event of the assessors disagreeing as to such proportion, as aforesaid, the inspector in whose district the union school section is situated, with the assessors aforesaid shall determine the said matter and report the same to the clerks of the respective municipalities, on or before the first day of July, and the decision of a majority shall be final and conclusive for the period of three years; Arbitration where assessors disagree.

When school section lies in two counties.

(3) When the union school section is composed of portions of two adjoining counties, then on the disagreement of the assessors the inspector of the county in which the schoolhouse of the union section is situated shall act as arbitrator, and the decision of a majority shall be final and conclusive for the period of three years ;

Meeting of assessors to determine proportion.

(4) The meeting of the assessors, for the purposes herein set forth, shall be called by the assessor of the municipality in which the schoolhouse of the union section is situated ;

Reconsideration of award.

(5) The assessors or the assessors and arbitrator appointed as herein required may, at the request of the inspector or five ratepayers, within one month after the filing thereof with the clerk reconsider their award, and alter or amend the same so far as to correct any omission or error in the terms in which such award is expressed. R. S. O. 1897, c. 292, s. 51; 62 V. (2) c. 36, s. 17.

NOTICE TO QUASH BY-LAWS.

By-law altering sections to be valid unless notice to quash given.

55.—(1) Any by-law of a municipality for forming, altering or dissolving a school section or sections, and any award made by arbitrators appointed to consider an appeal from a township council with respect to any matter authorized by this Act shall be valid and binding for a period of at least five years notwithstanding any defect in substance or form, or in the manner or time of passing or making the same, unless notice to quash such by-law or to set aside such award is filed in the office of the township clerk within one month of the publication of such by-law or award, and the same is subsequently quashed or set aside.

What deemed publication of by-law.

(2) Such by-law or award shall be deemed to be published when a copy thereof is served upon the secretary or secretary-treasurer of each board of trustees affected thereby.

Alteration of school boundaries not to affect unions.

(3) The power to form, alter or dissolve a union school section shall in no way be restricted by any by-law passed by a municipal council for the alteration of the boundaries of one or more sections in any township within the jurisdiction of such council. R.S.O. 1897, c. 292, s. 52 (3); 62 V. (2), c. 36, s. 6.

URBAN SCHOOL BOARDS.

Board to be a corporation.

56.—(1) Every board of public school trustees in urban municipalities, elected as provided by this Act shall be a corporation by the name of "The Public School Board" (prefixing to the words "Public School Board" the name of the city, town or incorporated village for which such trustees are elected), and shall have and possess all the powers usually possessed by corporations, so far as the same are necessary for carrying out the purposes of this Act.

Who may be elected trustees.

(2) Any ratepayer not disqualified who is a British subject and resident in the municipality of the full age of twenty-one years may be elected a public school trustee, and every trustee shall

shall continue in office until his successor has been elected and the new board organized. R. S. O. 1897, c. 292, s. 53.

57.—(1) In case any unincorporated village becomes incorporated, or in case a village or town changes its corporate status, the trustees having jurisdiction over the school property situated within such village, or town, prior to its incorporation or prior to the change of its corporate status shall exercise all the powers conferred by this Act upon the trustees of urban municipalities, until a new election of trustees is held, and such trustees shall call a meeting of the ratepayers of such urban municipality within one month after the date of such incorporation for the election of a new public school board ;

First election
of trustees.

(2) In calling the meeting of the ratepayers of such newly incorporated urban municipality, the provisions of section 60 of this Act shall be complied with so far as the same are applicable. Where the trustees of the municipality whose corporate status was changed were elected by ballot, the provisions of section 61 of this Act shall apply to the election of trustees in such newly incorporated urban municipality. R.S. O. 1897, c. 292, s. 54

58.—(1) For every ward into which any urban municipality is divided there shall be two school trustees, each of whom, after the first election of trustees, shall continue in office for two years, and until his successor has been elected and the new board organized ;

Trustees in
city, etc.,
divided into
wards.

(2) One of the trustees in each ward (to be determined by lot at the first meeting of trustees after their election, which determination shall be entered upon the minutes) shall retire from office at the time appointed for the next annual school meeting, and the other shall continue in office one year longer and then retire, after which one trustee shall be elected annually for each ward ;

(3) When any town or incorporated village is annexed to a city, the town or incorporated village so annexed, shall for all the purposes of this Act, be deemed to be part of the city.

(4) The provisions of this section shall not be held to invalidate or make void section 10 of the Act passed in the 54th year of Her late Majesty's reign, chaptered 82, relating to the City of Toronto, but the said section 10 and the subsections thereof shall be read and construed as if incorporated in this Act. R. S. O. 1897, c. 292, s. 55.

54 V. c. 82,
s. 10 not
affected.

INCORPORATED VILLAGES.

59.—(1) In every incorporated village not divided into wards there shall be six trustees, each of whom, after the first election for trustees, shall continue in office for two years and until his successor has been elected and the new board organized.

Trustees in
villages not
divided into
wards.

(2) Three of the trustees (to be determined by lot at the first meeting of trustees after their election which determination shall

shall be entered upon the minutes) shall retire from office at the time appointed for the next annual school election, and the other three shall continue in office one year longer and then retire; after which three trustees shall be elected annually. R. S. O. 1897, c. 292, s. 56.

ANNUAL ELECTION OF TRUSTEES.

Provisions for elections of trustees.

60. The annual and other elections of public school trustees, unless otherwise ordered, as provided by section 61 of this Act, shall be subject to the following provisions:—

Nominations.

1. A meeting of the ratepayers for the nomination of candidates for the office of public school trustee, shall take place at noon on the last Wednesday in the month of December, annually, or if a holiday, on the day following, at such place as shall from time to time be fixed by resolution of the public school board, and in municipalities divided into wards, in each ward thereof, if the board in its discretion thinks fit.

Returning officer.

2. The public school board shall by resolution before the second Wednesday in December each year name the returning officer or officers to preside at the meeting or meetings for the nomination of candidates, and also for holding the election in case of a poll, and in case of the absence of such officer the chairman chosen by the meeting shall preside, and the public school board shall give at least six days' notice of such meeting.

Proceedings at nominations.

3. If at such meeting only the necessary number of candidates to fill the vacant offices are proposed and seconded, the returning officer or person presiding, after the lapse of one hour, shall declare such candidates duly elected, and shall so notify the secretary of the public school board; but if two or more candidates are proposed for any one office and a poll in respect of any such office is demanded by any candidate or elector, the returning officer or chairman shall adjourn the proceedings for filling such office until the first Wednesday of the month of January then next, or if a holiday, then to the day following, when a poll or polls shall be opened at such place or places, and in each ward, where the municipality is divided into wards, as shall be determined by resolution of the trustees;

Hours of polling.

4. The polls shall be opened at the hour of ten of the clock in the forenoon, and shall continue open until five o'clock in the afternoon, and no longer, and any poll may close at any time after eleven o'clock in the forenoon, when a full hour has elapsed without any vote having been polled;

In cities and towns divided into wards, clerk of municipality to fur-

5. In urban municipalities, and in townships where public school boards exist, the clerk of the municipality shall furnish to the public school board, within three days after request in writing, 'The Voters' List,' of such municipality,

pality, together with a supplementary list either printed or in writing of the names of persons being supporters of separate schools, and also a list of the names, alphabetically arranged, of all ratepayers not being already upon 'The Voters' List';

nish voters'
list to public
school boards.

6. The public school board shall provide each polling place with the lists aforesaid, and also a poll book; and at every election at which a poll is demanded, the returning officer or person presiding, or the poll clerk, shall enter in such book in separate columns the names of the candidates proposed and seconded at the nomination, and shall, opposite to such columns, write the names of the ratepayers offering to vote at the election, and shall, in each column in which is entered the name of a candidate voted for by a voter set the figure '1' opposite the voter's name, with the residence of the voter;

Certified copy
of list and a
poll book to be
provided for
each polling
place
Entries in
poll book.

7. The returning officer or person presiding shall, on the day after the close of the election, return the poll book to the secretary or secretary-treasurer of the public school board, with his solemn declaration thereto annexed, that the poll book has been correctly kept and contains a true record of the votes given at the polling place for which he was returning officer;

Duty of re-
turning officer
after close of
election.

8. The secretary-treasurer shall add up the number of votes for each candidate for any office, as appears from the poll book so returned, and shall declare elected, the candidate or candidates having the highest number of votes, and shall forthwith notify the candidates in writing of the number of votes polled for each of them respectively in said election;

Duty of sec-
retary

9. In case two or more candidates have an equal number of votes, the member of the board present at the first meeting thereof after such election and before the organization of the board, who is assessed highest as a ratepayer on the last revised assessment roll, shall give a vote for one or more such candidates, so as to decide the election. R.S.O. 1897, c. 292, s. 57.

Casting vote.

ELECTION BY BALLOT.

61.—(1) The board of public school trustees of any urban municipality or township, may, by resolution of which notice shall be given to the clerk of the municipality on or before the first day of October in any year, require the election of school trustees for such urban municipality, or township, to be held by ballot on the same day as municipal councillors, or aldermen are elected, as the case may be. In like manner any board of trustees may discontinue the use of the ballot in trustee elections on giving notice to the clerk of the municipality to that effect at the time hereinbefore mentioned, and thereafter elections for the purposes of this Act shall be conducted as provided in section 60 of this Act.

Elections of
trustees on
same day as
municipal
elections.

Trustees may
discontinue
use of ballot
at elections.

(2) Where any board of trustees requires elections to be held by ballot, and elections are so held, no change shall be

Ballot not to be
discontinued
or resumed for

three years
after the
change.

be made in the mode of conducting such election for a period of three years, and should the mode of conducting the elections by ballot be discontinued at any time, then the provisions of section 60 shall apply for a period of three years at least after such discontinuance.

Mode of con-
ducting elec-
tions by ballot,

(3) In every case in which notice is given as aforesaid requiring the election of public school trustees to be held by ballot, such election shall thereafter be held at the same time and place, and by the same returning officer or officers, and conducted in the same manner as the municipal nominations and elections of aldermen or councillors are conducted; and the provisions of *The Municipal Act* respecting the time for opening and closing the poll, the mode of receiving the resignation of persons nominated for the office of school trustee before a poll is taken, the mode of voting, corrupt or improper practices, vacancies, and declarations of office, shall *mutatis mutandis* apply to the election of public school trustees.

Rev. Stat.
c. 223.

Form of
ballot papers;

(4) A separate set of ballot papers shall be prepared by the clerk of the municipality for all the wards or polling subdivisions, containing the names of the candidates nominated for school trustees, of the same form as those used for councillors or aldermen, except the substitution of the words "school trustee" for councillors or aldermen, as the case may be; and no ballot shall be delivered to any person who is entered on the list of voters as a supporter of separate schools.

Oath to be ad-
ministered
when voter
objected to.

(5) In case any objection is made to the right of any person to vote at any election of school trustees the deputy returning officer shall require the person whose right of voting is objected to, to make the following oath or affirmation:—

Form of oath.

You swear (or solemnly affirm) that you are the person named, (or intended to be named,) in the list (or supplementary list) of voters now shewn to you (*shewing the list to voter*);

That you are a ratepayer;

That you are of the full age of twenty-one years;

That you are a public school supporter;

That you have not voted before at this election, either at this or any other polling place in this Ward or (in this Municipality, *where the municipality is not divided into wards*) for School Trustee;

That you have not directly or indirectly received any reward or gift, nor do you expect to receive any, for the vote which you tender at this election;

That you have not received anything, nor has anything been promised to you directly or indirectly, either to induce you to vote at this election, or for loss of time, travelling expenses, hire of team, or any other service connected with this election;

And that you have not directly or indirectly paid or promised anything to any person either to induce him to vote or to refrain from voting at this election: So help you God.

(6) In towns and incorporated villages the trustees may, by resolution, limit the number of trustees constituting the public school board to six provided that at least one month's notice was given of the intention to consider a resolution to that effect. When such resolution has been adopted the election for school trustees shall thereafter be by vote of the electors of the whole municipality. Any reduction so approved shall not come into operation until the close of the school year. The board shall by lot determine what trustee or trustees shall retire in addition to the number retiring by annual rotation in order to admit of the election of three new trustees at the next annual meeting, and thereafter three trustees shall be elected by the ratepayers of the whole municipality each year to fill the place of the same number retiring by rotation annually. R. S. O. 1897, c. 292, s. 58; 62 V. (2) c. 36, ss. 7, 8.

Election of trustees where wards abolished.

62.—(1) In case the office of trustee becomes vacant from any cause, the remaining trustees shall, except as provided in the next subsection, forthwith hold a new election in the manner provided by this Act for the annual election of trustees to fill such vacancy, and the person thereupon elected shall hold his seat for the remainder of the term for which his predecessor was elected.

Vacancy in office of trustee.

(2) In the case of an urban municipality should such vacancy occur within three months of the expiry of the term of office, the remaining trustees may allow the office to remain vacant until the next ensuing election. R. S. O. 1897, c. 292, s. 59.

CONTESTED ELECTIONS.

63. Any complaint respecting the validity or mode of conducting the election of school trustees in any urban municipality shall be made to the Judge of the County Court within twenty days after such election, who shall, within a reasonable time, in a summary manner, hear and determine the same; and may cause the assessment rolls, collector's rolls, poll books, and any other records of the election to be brought before him, and may inquire into the facts on affidavit or affirmation, or by oral testimony, and cause such persons to appear before him as he may deem expedient.

Judge of county court to receive and investigate complaints.

(2) The Judge may confirm the election or set it aside, or order that some other candidate was duly elected; and the Judge may order the person found by him not to have been elected to be removed; and in case the Judge determines that any other person was duly elected, the Judge may order him to be admitted; and, in case the Judge determines that no person was duly elected, the Judge shall order a new election to be held, and shall report such decision to the secretary-treasurer of the public school board. R. S. O. 1897, c. 292, s. 60.

MEETINGS OF BOARD.

First meeting
of Board.

64.—(1) Every urban board of school trustees shall hold its first meeting in each year on the third Wednesday in January, at the hour of seven o'clock in the afternoon, or at such other hour and place on the same day as may have been fixed by resolution of the former board.

President at
first meeting.

(2) At such meeting the secretary of the board shall preside at the election of chairman, or, if there be no secretary, the members present shall appoint one of themselves to preside at such election, and the member so appointed to preside may vote as a member.

Casting vote.

(3) In case of an equality of votes at the election of chairman the member who is assessed as a ratepayer for the largest sum on the last revised assessment roll shall have a second or casting vote in addition to his vote as a member.

Quorum of
school
boards, etc.

(4) A majority of the members of the board shall be necessary to form a quorum, at any meeting and the vote of the majority of such quorum shall be necessary to bind the corporation. R. S. O. 1897, c. 292, s. 61.

DUTIES OF TRUSTEES.

Duties of
Board.

65. It shall be the duty of the trustees of all public schools and they shall have power :—

Appointment
of secretary
and others.

1. To appoint a secretary and treasurer or secretary-treasurer, and such committees, officers and servants as they may deem expedient ;

To fix meet-
ings of the
board.

2. To fix the time and place of meetings of the board, the mode of calling and conducting them, and of keeping a true and correct account of the proceedings of such meetings, and to transmit to the Minister of Education all returns and reports required by the Education Department ;

To provide
adequate
accommoda-
tion.

3. To provide adequate accommodation for all the children between the ages of five and sixteen years, resident in the municipality (in the case of rural schools for two-thirds of such children resident in the section) as ascertained by the census taken by the municipal council for the next preceding year ; Provided that in computing such residents the children of persons on whose behalf a separate school has been established under *The Separate Schools Act* shall not be included.

Rev. Stat.
c. 234.

To provide
school pre-
mises, appa-
ratus, prize
books and
library.

4. To purchase or rent school sites or premises, and to build repair, furnish, and keep in order the schoolhouses, furniture, fences and all other school property ; to keep the well, closets and premises, generally in a proper sanitary condition ; to procure registers, maps, globes, apparatus, and, if they deem it

it

it expedient, procure prize books and establish and maintain school libraries ;

5. To determine the number, grade, territorial boundaries and description of schools to be opened and maintained ; the teachers to be employed ; the terms on which they are to be employed, and their remuneration and rank (whether principals or assistants) ; and, as they may deem expedient, to establish kindergartens and classes for industrial training and instruction in needle work and domestic economy ;

To determine number of schools, etc.

6. To dismiss from the school any pupil who is adjudged so refractory by the trustees and the teacher that his presence in school is deemed injurious to the other pupils, and, where practicable, to remove such pupil to an industrial school ;

Dismissal of refractory pupils.

7. To collect, at their discretion, from the parents or guardians of the pupils attending school a sum not exceeding twenty cents per month, per pupil, to defray the cost of text-books, and other school supplies ; or to purchase for the use of pupils text-books and other school supplies at the expense of the corporation ;

Trustees may collect a fee from parents, for books, etc.

8. To exempt, in their discretion, from the payment of school rates, wholly or in part, any indigent persons (notice of such exemption to be given by the trustees to the clerk of the municipality, on or before the first day of August) and where deemed necessary to provide for the children of such persons text-books and other school supplies at the expense of the corporation ;

Exemption of indigent persons from school rates.

9. To submit to the municipal council, on or before the first day of August, or at such time as may be required by the municipal council, an estimate of the expenses of the schools under their charge for the current year ;

To lay before council estimates for moneys.

10. To provide (in the case of rural schools) for the payment of teachers' salaries quarterly and, if necessary, to borrow on their promissory note, under the seal of the corporation, at interest not exceeding six per cent. per annum, such moneys as may be required for that purpose, until the taxes imposed therefor are collected ;

Payment of teachers' salaries.

11. To submit in the case of urban municipalities all accounts, books and vouchers to be audited by the municipal auditors, (whose duty it shall be to audit the same) and to publish as soon as the audit is made in one or more of the public newspapers, or otherwise, an abstract of the annual report of the auditors, with such findings and recommendations as the auditors deem expedient ;

To publish auditors' report.

12. To take possession of all property which has been acquired or given for public school purposes, and to hold the same according to the terms on which it was acquired or received ; and to dispose, by sale or otherwise, of any school site or property

Custody and disposal of school property.

property not required in consequence of a change of site, or other cause; to convey the same under their corporate seal, and to apply the proceeds thereof to their lawful school purposes or as directed by this Act;

Supplement-
ing superanu-
tion allow-
ances.

13. To supplement out of school funds, at their pleasure, any allowance payable under this Act to superannuated teachers. R. S. O. 1897, c. 292, s. 62.

Trustees act-
ing under by
laws not
liable.

66. Trustees shall not be liable to any prosecution, or the payment of any damages, for acting under any by-law of a municipal council before it has been quashed. In case a by-law, order or resolution of a municipal council is illegal, in whole or in part, and in case anything has been done under it, which by reason of the illegality gives any person a right of action, no such action shall be brought until one month has elapsed after the by-law, order or resolution has been quashed or repealed, nor until one month's notice in writing of the intention to bring such action has been given to the corporation. Every such action shall be brought against the municipal corporation alone, and not against any person acting under the by-law, order or resolution. R. S. O. 1897, c. 292, s. 63.

Employing
teachers in
charitable
institutions.

67. The trustees of cities when so requested by any charitable organization having in charge children of school age shall have power to employ teachers for such children, and to furnish for their use all school supplies if they deem it expedient, and such children shall be considered public school pupils and shall be subject to this Act. R. S. O. 1897, c. 292, s. 64.

School sites.

68. Every urban school board shall have power to take and acquire land for a school site or for enlarging school premises already held. In the event of any dispute between the owner of the land selected and the trustees, with regard to the price of such land, sections 35 to 40 of this Act shall apply. R. S. O. 1897, c. 292, s. 65; 62 V. (2) c. 36, s. 9.

Grants to
promote
athletics.

69. Every urban school board shall have power to expend such sums as they may deem expedient, not exceeding \$200 in any one year, in promoting and encouraging gymnastics and other athletic exercises. 63 V. c. 53, s. 1.

TOWNSHIP ASSESSMENTS.

Amount to be
levied by
township
council for
school
purposes.

70.—(1) The municipal council of every township shall levy and collect by assessment, upon the taxable property of the public school supporters of the whole township, in the manner provided by this Act, and by the Municipal and Assessment Acts, the sum of \$150 at least for every public school which has been kept open the whole year exclusive of vacations

tions. Where the school has been kept open for six months or over, a proportionate amount of the said sum of \$150 at least shall be levied and collected by assessment upon the taxable property of the whole township. An additional sum of \$100 at least shall be levied and collected in a similar manner for every assistant teacher engaged for the whole year, and a proportionate amount if such assistant teacher was engaged for six months or over.

(2) In the case of union school sections the municipal council of each municipality of which the union school section is composed shall levy and collect upon the taxable property of the respective municipalities the said sum in the proportion fixed by the equalization provided under section 54 of this Act. This section shall not apply to union sections formed between townships and urban municipalities. R. S. O. 1897, c. 292 s. 66.

71.—(1) The council of every municipality shall levy and collect upon the taxable property of the municipality (or of the sections in the case of rural schools), in the manner provided in this Act, and in the Municipal and Assessment Acts, such sums as may be required by the trustees for school purposes; and shall pay the same to the treasurer of the public school board from time to time as may be required by the board for teachers' salaries and other expenses. In the case of rural schools, all moneys collected shall be paid to the secretary-treasurer of the section on or before the 15th of December.

Councils to levy sums required by trustees.

(2) The council of every municipality may, in addition to any requisition of the public school trustees, raise by assessment such other sums as it may deem expedient for the establishment and maintenance of a school library, or for aiding new or weak schools or continuation classes within such municipality, or for the support of model schools, or for supplementing teachers' salaries or retiring allowances.

Establishment of libraries.

(3) Every municipal council shall have power, and it shall be their duty to correct any errors or omissions that may have been made within the three years next preceding such correction in the collection of any school rate duly imposed or intended so to be, to the end that no property shall escape from its proper proportion of the rate and that no property shall be compelled to pay more than its proper proportion of such rate. R. S. O. 1897, c. 292, s. 67.

Correction of errors in collection of rates in previous years.

(4) The municipal corporation of every township shall have power to apportion by by-law, among the public school sections in the township, the principal or interest of any investments held by the corporation for public school purposes according to the salaries paid the teachers engaged by the respective school sections during the past year, or according to the average attendance of pupils at each school section during the same period, as may be deemed expedient. 62 V. (2) c. 11 s. 29.

Apportionment of school money by township councils.

Return shewing rating of separate school supporters.

72. It shall be the duty of the clerk of every township :—

Separate school amounts to be deducted.

1. To transmit not later than the first day of December in each year to the county school inspector a list of the supporters of separate schools against whom any county rate for public school purposes has been placed upon the collector's roll shewing the amount so rated against each and the total amount so rated. The county inspector shall, before issuing his order for the payment of the county grant to the public school sections, deduct therefrom the amount so certified to him by the clerk of such municipality, and shall give the trustees of the separate school section an order on the township treasurer for the amount thereof, and it shall be the duty of such treasurer to pay over the same;

Clerk to give copy of assessment to inspector.

Statement to be furnished to board by clerk.

2. To give to the public school inspector when requested by him, a statement of the assessed value of each school section as shewn by the revised assessment roll for the year, and at the request of any board of trustees to furnish the board with a statement shewing the several parcels or lots of land composing the school section for which they are trustees, the assessment of each parcel or lot and the amount of taxes entered on the collector's roll against each parcel of such lands, and the population of each school section between the ages of five and sixteen years. The cost of preparing the latter statement shall be paid by the board of trustees applying for the same. R.S.O. 1897, c. 292, s. 68.

Clerks to make returns of population.

73. It shall be the duty of the clerk of every county to make a return to the Minister of Education showing the population of each minor municipality within the county, and of the clerk of every city and of every town separated from a county to make a return showing the population of such city or town, as shown by their respective assessment rolls for the previous year, said returns to be made on or before the first day of April in each year. R.S.O. 1897, c. 292, s. 69.

DEBENTURES IN RURAL SECTIONS.

Township school debentures.

74.—(1) On the application of any board of rural school trustees for the issue of debentures for the purchase of a school site for the erection of a schoolhouse, or any addition thereto, or for the purchase or erection of a teacher's residence, the municipal council of the township shall pass a by-law for the said purpose, and shall forthwith issue debentures to be repayable out of the taxable property of the school section concerned in such annual amount as they may deem expedient, provided always the proposal for such loan has been submitted by the trustees to and sanctioned at a special meeting of the ratepayers of the section, called for the purpose.

(2) All applications for a loan, for the purposes herein mentioned, shall be made by the trustees of a union school section to the council of the municipality within which the school house or site of such union section is situated, and all debentures for the payment of such loan shall be issued by such municipality. Any other municipality or municipalities forming part of the union school section shall pay, on the requisition of the clerk of the municipality by which the debentures were issued, as they come due, its or their share of the loan, including interest, according to its or their liability for school purposes, as determined by section 54 of this Act.

Applications for loans to be made to, and debentures issued by council.

(3) Notwithstanding any alteration which may be made in the boundaries of any school section, the taxable property situated in the school section at the time when such loan was effected, shall continue to be liable for the rate which may be levied by the township council for the repayment of the loan.

Liability for loan.

(4) The expenses of preparing and publishing any by-laws or debentures, and all other expenses incident thereto, shall be paid by the school section on whose behalf such debentures were issued, and the amount of such expenses may be deducted from any school rates collected by the municipal council for such school section. R.S.O. 1897, c. 292, s. 70.

Expenses of publishing by-laws.

75.—(1) The trustees of any rural school may require the council to raise, by one yearly rate, such sums as may be necessary for the purchase of a schoolhouse or site, or the erection of a schoolhouse or teacher's residence.

Application to council for school moneys

(2) No municipal council shall levy or collect during any one year more than one school rate except for the purchase of a school site, or for the erection of a schoolhouse. R.S.O. 1897, c. 292, s. 71.

Council not to levy more than one rate except in certain cases.

DEBENTURES IN URBAN MUNICIPALITIES.

76.—(1) The municipal council of any urban municipality may, on the application of the board of public school trustees, pass a by-law for any of the purposes mentioned in the two preceding sections. Where the municipal council refuses to raise or borrow the sum required, then the question shall be submitted by the municipal council, if requested by the board of trustees, to the vote of the electors qualified to vote under *The Municipal Act* for the creating of debts, who are supporters of public schools, in the manner therein provided, and on the assent of such electors being obtained the council shall raise or borrow such sum.

Submission of question to vote of electors.

Rev. Stat. c. 223.

(2) Debentures issued for school purposes may be in the form "A" given by this Act, and for such term of years and for such amount as the council sees fit, not exceeding thirty years, or the municipal council may, in its discretion make the principal and interest of such debt repayable by annual or other instalments, in the manner provided in *The Municipal Act*.

Form and term of debenture.

Rev. Stat.
c. 223.

(3) Application for the issue of debentures for school purposes by the trustees of urban municipalities to which part of an adjoining township is attached shall be subject to the provisions of this section. R.S.O. 1897, c. 292, s. 72.

Exemption by
by-law not to
affect liability
for school
rates.

77. No by-law passed by any municipality after the 14th day of April, 1892, for exempting any portion of the rateable property of a municipality from taxation in whole or in part shall be held or construed to exempt such property from school rates of any kind whatsoever. R.S.O. 1897, c. 292, s. 73.

School cor-
porations may
borrow sur-
plus moneys.

78. Any school corporation may, with the consent of the ratepayers first had and obtained at a special meeting duly called for that purpose, by resolution authorize the borrowing from any municipal corporation of any surplus moneys derived from the Ontario Municipalities Fund, or from any other source, for such term and at such rate of interest as may be set forth in such resolution, for the purpose of purchasing a school site, or erecting a schoolhouse; and any sum so borrowed shall be applied to that purpose, and to that only. R. S. O. 1897, c. 292, s. 74.

TREASURERS OF SCHOOL MONEYS.

Sub-treasur-
ers of school
moneys.

79.—(1) For all school purposes township treasurers shall be considered sub-treasurers of the county treasurer, provided always that the county council may by by-law constitute the county treasurer, the sub-treasurer for municipalities not separated from the county. The treasurer or secretary-treasurer of the school board of each city or town separated from the county shall receive the government grants apportioned to the city or town and shall hold the same for school purposes subject to the order of the board of trustees.

Treasurer and
sureties,—
responsible to
municipality.

(2) The treasurer and sub-treasurer and their sureties shall be accountable for school moneys to the county city or town (as the case may be), and any bond or security given by them for duly accounting for and paying over moneys coming into their hands, belonging to the county, city or town, shall apply to all school moneys, and may be enforced against the treasurer or his sureties, in case of default on his or their part.

Bonds to
apply to school
moneys, etc.

(3) The bond of the treasurer and his sureties shall apply to school moneys, and all public moneys of the Province, and, in case of any default, His Majesty may enforce the responsibility of the county, city or town, either by stopping a like amount out of any public moneys payable to the county, city, or town, or to the treasurer thereof or by action against the corporation.

City, etc.,
responsible for
default of
treasurer, etc.

(4) Any person aggrieved by the default of the municipal treasurer may recover from the corporation of any county, city or town, the amount due or payable to such person as money had and received to his use. R. S. O. 1897, c. 292, s. 75.

DUTIES OF TEACHERS.

80. It shall be the duty of every teacher of a public school,

To teach according to law, preserve discipline, etc.

1. To teach diligently and faithfully all the subjects in the public school course of study; to maintain proper order and discipline in the school; to encourage the pupils in the pursuit of learning; to inculcate by precept and example, respect for religion and the principles of Christian morality, and the highest regard for truth, justice, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues;

2. To use the English language in the instruction of the school and in all communications with the pupils in regard to discipline and the management of the school, except where impracticable by reason of the pupil not understanding English. Recitations requiring the use of a text-book may be conducted in the language of the text-book;

Use of English language.

3. To see that the schoolhouse is ready for the reception of pupils at least fifteen minutes before the time of opening in the morning and five minutes before the time of opening in the afternoon, to call the roll every day according to the register prescribed by the Education Department; to enter in the visitors' book visits made to the school; to give the inspector, trustees and visitors access, at all times, to the register and visitors' book; and to deliver the register, the schoolhouse key and other school property in his possession to the corporation employing him on demand, or when his agreement with such corporation has expired;

Duties in and about the school-house, registers, etc.

4. To classify the pupils strictly according to the course of study prescribed by the Education Department; to conduct the school according to a time-table accessible to pupils and visitors; to prevent the use by pupils of unauthorized text-books; to attend regularly the teachers' institutes in the inspectoral division; to notify the trustees and inspector of absence from school, through illness or other unavoidable cause; and to make at the end of each school term, and subject to revision by the inspector such promotions from one class or form to another as he may deem expedient;

Classification of scholars and conduct of classes.

5. To hold during each half year a public examination of the school, and to give due notice thereof to the trustees, to any school visitors who reside in the school section, and through the pupils, to their parents or guardians, and to hold such other examinations as may be required by the inspector for the promotion of pupils, or for any other purpose as the inspector may direct;

Examinations.

6. To furnish the Minister of Education, or the school inspector with any information which it may be in his power to give respecting the condition of the school premises, the discipline of the school, the progress of the pupils or any other

Information for department.

matter affecting the interests of the school, and to prepare such reports of the corporation employing him as are required by the Education Department;

Care of health of scholars, preservation of school property.

7. To give assiduous attention to the health and comfort of the pupils, to the cleanliness, temperature and ventilation of the school-rooms, to the care of all maps, apparatus and other school property, to the preservation of shade trees and the orderly arrangement of the playgrounds, and to report promptly to the trustees and municipal health officer the appearance of any infectious or contagious disease in the school, or the unsanitary condition of outhouses and surroundings;

Infectious diseases among pupils.

8. To refuse admission to the school of any pupil affected with, or exposed to smallpox, scarlatina, diphtheria, whooping cough, measles, mumps, or other contagious disease until furnished with a certificate of a physician or of a health officer to the effect that all danger from exposure to contact with such pupil has passed away;

Disciplinary powers.

9. To suspend any pupil guilty of persistent truancy, violent opposition to authority, habitual neglect of duty, the use of profane or improper language or conduct injurious to the moral tone of the school, and to notify the parent or guardian of the pupil, and the trustees, of such suspension. The parent or guardian of any pupil suspended may appeal against the action of the teacher to the trustees, who shall have power to consider such appeal and remove, confirm or modify such suspension. R. S. O. 1897, c. 292, s. 76.

AGREEMENTS.

Valid agreements with teachers.

81.—(1) All agreements between trustees and teachers shall be in writing, signed by the parties thereto, and shall be sealed with the seal of the corporation.

Suspension of certificate for breach of agreement.

(2) Any teacher who wilfully neglects or refuses to carry out his agreement, shall, on the complaint of the trustees, be liable to the suspension of his certificate by the inspector under whose jurisdiction he may be for the time being.

Qualified teacher defined.

(3) No person engaged to teach at a public school shall be deemed a qualified teacher who does not at the time of entering into an agreement with the trustees, and during the whole period of such agreement, hold a legal certificate of qualification.

Proportion of salary to which teacher entitled.

(4) Any teacher who enters into an agreement with a board of trustees for one year, and who serves under such agreement for three months or over, shall be entitled to be paid his salary in the proportion which the number of days during which he has taught bears to the whole number of teaching days in the year.

Case of sickness.

(5) Every teacher shall be entitled to his salary during sickness, certified by a physician, for a period not exceeding four weeks.

weeks for the entire year; this period may be increased at the pleasure of the trustees.

(6) If at the expiration of a teacher's agreement with a board of trustees his salary has not been paid in full, the salary shall continue to run at the rate mentioned in the agreement until paid, provided always that an action shall be commenced within three months after the salary is due and payable by the trustees.

Protection of teachers in regard to salary.

(7) All matters of difference between trustees and teachers, in regard to salary or other remuneration under a valid agreement, shall, whatever may be the amount in question, be brought in the Division Court of the division where the cause of action arose, subject to appeal, as provided by this Act. R. S. O. 1897, c. 292, s. 77.

Provision in case of difference between teacher and trustees.

TEACHERS' CERTIFICATES.

82. (1) Any person a subject of His Majesty, who is not less than eighteen years of age, of good moral character and who passes the examinations prescribed by the Education Department, may be awarded a first, second or third-class certificate according to the standards required by such examination.

Three classes of certificates.

(2) Subject to any regulations of the Education Department with regard to experience in actual teaching, certificates of the first and second class shall be valid during good conduct; certificates of the third class shall be valid for a period of three years. Every third-class certificate shall have the signature of at least one public school inspector.

First, second and third-class certificates.

(3) The inspectors of the territorial districts, or any county board of examiners, may issue certificates valid only within the district of such inspector, or the jurisdiction of the county board, for a term not exceeding three years, subject to the regulations of the Education Department.

District certificates.

(4) Certificates granted before the fifteenth day of February, in the year 1871, shall remain in force on the terms of the Act under which they were granted.

Former certificates continued.

(5) First-class certificates issued under any Act of this Province before the fifteenth day of February, 1871, and valid on the 24th day of March, 1874, shall be valid in the Province during the good conduct of the holder thereof.

First-class valid.

(6) Second-class certificates issued and valid as aforesaid, shall, when the holders, thereof, have taught for ten years in Ontario, be valid during good conduct within the territory in which they were granted.

Second-class valid.

(7) The inspector may suspend the certificate of any teacher under his jurisdiction for inefficiency, misconduct, or a violation of this Act or of the regulations of the Education Department. In every case of suspension, he shall notify

Suspension of certificate for misconduct, etc.

notify in writing the trustees concerned, and the teacher, of the reasons for such suspension.

Meeting of county board, consideration of suspension.

(8) The inspector shall forthwith call a meeting of the county board of examiners for the consideration of such suspension, of which due notice shall be given to the teacher so suspended, and the decision of the board shall be final. R. S. O. 1897, c. 292, s. 78.

COUNTY BOARDS OF EXAMINERS.

To examine teachers and give certificates.

83.—(1) The municipal council of each county shall appoint annually a board of examiners, consisting of the inspector or inspectors having jurisdiction within the county, including the inspector or inspectors of the county town or of any town separated from the county or any part thereof, and not more than two other persons holding first-class certificates of qualification, for the purpose of examining candidates for teachers' third class certificates and for such other purposes as are prescribed by this Act. The members so appointed shall continue in office till their successors are appointed, and shall hold at least one examination each year. A majority of the board shall form a quorum.

Additional examiners.

(2) Where deemed necessary from the general use of the French or German language, the county council may appoint additional examiners, not exceeding two, for the purpose of conducting the examination of candidates for a teachers' certificate in either of the languages aforesaid.

Expenses of examination.

(3) The treasurer of the county shall, on the requisition of the chairman of the board, pay all the incidental expenses of the examination of third-class teachers. He shall also, on a like requisition, pay each member of the board the sum of \$4 per diem and travelling expenses while engaged as examiner.

Fees of examiner in investigating standing of teacher.

(4) Every member of a county board of examiners while engaged in conducting an investigation affecting the standing of any teacher within the jurisdiction of the board shall be paid the sum of \$4 per diem and travelling expenses by the treasurer of the county.

None but teachers to be examiners.

(5) After the passing of this Act no person shall be appointed a member of a county board of examiners who is not actually engaged in teaching and who has not had at least three years' experience as a teacher in a public or separate school. R.S.O. 1897, c. 292, s. 79; 62 V. (2) c. 36, s. 10.

COUNTY MODEL SCHOOLS.

One school in each county to be set apart as county model school.

84.—(1) The board of examiners of every county may, subject to the regulations of the Education Department, set apart at least one public school in each county as a county model school for the training of teachers for third-class certificates.

(2) Where more model schools than one have been established in any county and where the whole number of teachers in training for the two preceding years at such schools has not exceeded twenty-five, the county board of examiners may, with the approval of the Education Department, discontinue one or more of such schools, but not so as to reduce the number below that required by this Act.

When model schools may be discontinued.

(3) The municipal council of every county shall pay to the treasurer of each public school within the county to which a model school is attached an amount at least equal to the sum voted by the Legislative Assembly for each county model school, but the amount to be provided by the county council shall not be less than the sum of \$150 annually, and the council may, if it sees fit, provide a larger amount of aid.

Aid to county model schools.

(4) The board of trustees of any city may set apart one or more of such city schools for the training of third-class teachers, subject to the regulations of the Education Department. R.S.O. 1897, c. 292, s. 80.

Setting apart school for training third class teachers.

TEACHERS' INSTITUTES.

85.—(1) The teachers of one or more inspectoral districts may organize themselves into a Teachers' Institute for the purpose of receiving instruction in methods of teaching and for discussing educational matters, subject to the regulations of the Education Department.

Organization of teachers' institutes.

(2) The Minister of Education may apportion out of any moneys voted by the Legislative Assembly for that purpose the sum of \$25 to each teachers' institute organized and conducted according to the regulations of the Education Department, and the municipal council of each county or city shall pay annually to the order of the president of each teachers' institute within the county or city a sum at least equal to the amount so apportioned by the Minister of Education. R.S.O. 1897, c. 292, s. 81.

Aid to teachers' institutes.

INSPECTORS.

86.—(1) No person shall be appointed inspector of public schools in any county, city, or town who does not hold an inspector's certificate of qualification, as prescribed by the regulations of the Education Department, and no inspector shall, during his tenure of office, engage in, or hold any other employment, or calling, which interferes with the full discharge of his duties as inspector.

Qualification for appointment as inspector.

(2) The board of trustees of every city and town separated from the county shall appoint an inspector of public schools for such city or town. When the teachers engaged by the trustees of any city exceed three hundred in number the board shall appoint two inspectors, and likewise an additional inspector

When more than one inspector to be appointed.

inspector for every three hundred teachers on the staff above six hundred.

Number of inspectors.

(3) The municipal council of every county shall appoint an inspector for such county, provided always that any inspector appointed hereafter for a county or part of a county, shall be the inspector of the schools of any town not separated from the county in the district to which he has been appointed.

Jurisdiction of inspectors.

(4) No county inspector hereafter appointed shall have charge of more than one hundred and twenty schools or less than fifty, but it shall not be necessary to appoint more than one inspector in each electoral division of a county.

French or German.

(5) In counties containing any municipality wherein the French or German language is the common or prevailing language, an inspector may have charge of any number of schools not less than forty.

Counties may appoint additional inspectors and change inspectors.

(6) In counties where there are more than fifty public schools, the county council may appoint two or more inspectors, and prescribe and number the territorial divisions of each, and change or remove the inspectors from one division of the county to another.

Warden may supply vacancies in the office of inspector.


(7) In the event of a vacancy occurring in the office of county inspector, the warden of the county may appoint any person legally qualified to fill such vacancy until the next ensuing meeting of the county council. Notice of such appointment or of any appointments by the county council shall be given to the Minister of Education forthwith.

Remuneration of county inspector.

(8) The county council shall pay quarterly to every county inspector at the rate annually of \$5 for every teacher occupying a separate room with a separate register, and, in addition, reasonable travelling expenses, such expenses to be determined by the county council.

Payment of inspector's salary in towns not separated.

(9) When the public school board of any town not separated from the county has before the passing of this Act appointed an inspector, other than the county inspector within whose district such town is situated, the county treasurer, on demand, shall pay to the order of such board a sum of money equal to the amount collected within such town for the payment of the salary of the county inspector.

Grants in aid of inspector's salary. 

(10) The sum of \$5 for every teacher occupying a separate room with a separate register, shall be paid out of any sum of money appropriated by the Legislature for that purpose as the Lieutenant-Governor in Council may direct towards the salary of the county inspector and a similar sum to the school board of any city or town separated from the county, towards the payment of the salary of the inspector of the city or town.

Inspector to swear wit-

(11) In cases where any inspector requires the testimony of witnesses to the truth of any fact alleged in any complaint or appeal

appeal made to him or to the Minister of Education or the Education Department, it shall be lawful for such inspector to administer an oath to such witnesses, or to require their solemn affirmation before receiving their testimony.

nesses in certain cases.

(12) Any public school inspector shall, in case of misconduct or inefficiency, be subject to dismissal by the Lieutenant-Governor in Council, or by a majority of the members of the council or board of trustees appointing him, or without cause by a vote of two-thirds of such council or board, and no such inspector shall be re-appointed without the concurrence of the party who dismissed him.

Conditions of dismissal of inspector.

(13) The municipal council of every county and the public school board of every city shall have power to appoint an assistant inspector in every county or city where the inspector, by reason of age or infirmity, has become incapacitated for fully discharging the duties of his office, and in such cases it shall be lawful for the municipal or school corporation concerned to apply towards the payment of the salary of such assistant a portion of the grant made by the county council or city towards the inspection of schools, or to supplement the same by further grants, as may be deemed expedient. R.S.O. 1897, c. 292, s. 82; 62 V. (2) c. 36, s. 11.

Appointment of assistant inspectors in counties and cities.

87. It shall be the duty of every public school inspector :—

Duties of inspectors.

1. To visit every public school within his jurisdiction once in each term, unless otherwise directed by the county council or board of trustees by which he was appointed; to deliver from time to time, public lectures in his district on some subject connected with public school education; to call a special meeting of the section when deemed expedient and to see that every school is conducted according to this Act and the regulations of the Department;

To visit each school once a term.

2. To examine into the condition of the school, as respects the progress of the pupils in learning, the order and discipline observed, the system of instruction pursued, the mode of keeping the school registers, the average attendance of pupils, the character and sanitary condition of the buildings and premises, and to give such advice to the teachers, pupils and officers of the school as he may consider proper;

Examine the state of the school.

3. To withhold his order for the amount apportioned from the legislative or municipal grant,

To withhold order for grant in certain cases.

(a) Where any school was kept open for less than six months in the year, or

(b) Where the trustees fail to transmit the annual or semi-annual school returns properly filled up, or

(c) Where the trustees fail to comply with this Act or the regulations of the Education Department, or

(d) Where the teacher uses, or permits to be used, as a textbook

book any book not authorized by the Education Department; and in every case to report to the trustees and to the Education Department his reasons for so doing;

Report of health officer.

4. To report to the trustees and to the medical health officer of the municipality in which the school house is situated, in every case in which the school premises or buildings are found to be in an unsanitary condition and to withhold the school grants in all such cases until he receives a certificate from such health officer or board of health that the provisions of *The Public Health Act* have been duly complied with;

Rev. Stat., c. 248.

To give information and report to Minister.

5. To give when desired any information in his power to the Minister of Education, respecting any matter in connection with a public school within his jurisdiction, and to prepare and transmit to the Minister of Education, on or before the first day of March, an annual report in the form prescribed by the Education Department;

May give temporary certificates to teachers.

6. To give, at his discretion, any candidate, on due examination, a certificate of qualification to teach a school within his district until the next ensuing professional examination of teachers; and to discharge such other duties as may be required by the Minister of Education, the county council or the board of trustees by which he was appointed;

Deliver up papers on retiring from office.

7. To deliver over to his successor, on retiring from office, copies of his official correspondence, and all school papers in his custody, on the order of the county council or public school board appointing him. R. S. O. 1897, c. 292, s. 83.

ALLOWANCE TO ARBITRATORS AND INSPECTORS.

Costs of arbitration.

88. Arbitrators, in making their award, shall, among other things, determine the liabilities of the parties concerned for the costs of the arbitration, and such determination shall be final and conclusive. R. S. O. 1897, c. 292, s. 84.

Allowance to arbitrators.

89. Any person engaged as arbitrator on any matter arising under this Act shall be paid the sum of \$4 per diem and travelling expenses. R. S. O. 1897, c. 292, s. 85.

Allowance to inspectors in certain cases.

90. Where any complaint is made to an inspector with regard to any matter affecting the validity of the election of a public school trustee, or the procedure of a school meeting, requiring the taking of evidence where the cause of complaint arose, the trustees of the school section concerned shall pay the inspector while conducting such investigation the sum of \$4 per diem and travelling expenses. R. S. O. 1897, c. 292, s. 86.

SUPERANNUATION.

Superannuation fund.

91. Every teacher or inspector whose name is entered as having paid into the fund for superannuated teachers, may
continue

continue to contribute to such fund in such manner as may be prescribed by the Education Department, the sum of at least \$4 annually, but no payment of arrears to the fund shall be allowed after the 30th day of March, 1886. R. S. O. 1897, c. 292, s. 87.

92.—(1) On the decease of any teacher or inspector, his wife, her husband, or legal representative, shall be entitled to receive back the amount paid into the superannuation fund by such teacher or inspector, with interest at the rate of seven per cent. per annum. Repayment to wife, etc., of deceased teacher.

(2) No teacher or inspector who has reached the age of sixty years shall be held to be disqualified from superannuation by reason of his having retired from active service before reaching the age of sixty, provided that such teacher or inspector has served for a period of thirty years, and that no payment shall be made to such teacher or inspector until he has reached the age of sixty. R. S. O. 1897, c. 292, s. 88; 63 V. c. 53, s. 3.

93.—(1) Every teacher or inspector who, while engaged in his profession, contributes to the superannuated teachers' fund as provided by this Act, shall on reaching the age of sixty years, if he retires from the profession receive an annual allowance at the rate of \$6 per annum, for every year of service in Ontario, upon furnishing evidence of good moral character, age, and length of service. Right of teacher to retire on reaching sixty years of age.

(2) Every teacher or inspector, under sixty years of age who has contributed as aforesaid, and who is disabled from practising his profession, shall be entitled to a like annual allowance upon furnishing evidence as to length of service, moral character, and disability. Teachers under sixty.

(3) Every superannuated teacher who holds a first or second class provincial certificate, or a first-class county board certificate, and every principal of a high school or collegiate institute shall be entitled to receive a further allowance at the rate of \$1 per annum for every year of service while he held such certificate, or while he acted as principal of a high school or collegiate institute. \$1 per annum extra to certain teachers.

(4) The retiring allowance shall cease at the close of the year of the death of the recipient, and may be discontinued at any time should the teacher's moral character be unsatisfactory to the Education Department. Proviso in regard to good moral character.

(5) If any superannuated teacher or inspector shall, with the consent of the Education Department, resume the profession of teaching or inspecting, his allowance shall be suspended during the time of his being so engaged. In case such teacher or inspector is again placed on the superannuation list an allowance for the additional time of service shall be made on compliance with this Act, and the regulations of the Education Department. Teacher resuming profession. Again retiring.

Forfeiture of claims.

(6) Any teacher or inspector who, having resumed his profession, draws or continues to draw upon the superannuation fund for any part of his allowance as a superannuated teacher, shall forfeit all claim to the fund, and his name shall be struck off the list of superannuated teachers.

Teachers not availing themselves of Act.

(7) In the case of those teachers or inspectors who may not avail themselves of the provisions of section 87 or subsection 8 of this section of this Act, the provisions of sections 87 to 89 inclusive shall apply so far as relates to all sums of money already paid into the fund for superannuated teachers.

Repayment to contributors.

(8) Any teacher who retires from the profession, or any teacher or inspector who desires to remove his name from the list of contributors to the superannuated teachers' fund, shall be entitled to receive back from the Minister of Education one half of any sums paid by him or her to the fund, through the public school inspector, or otherwise. R. S. O. 1897, c. 292, s. 89.

Retiring allowances to teachers.

94. Where any teacher retires after serving for 20 years or longer the board of trustees may grant him an annual allowance not exceeding the salary which he was receiving at the time of retirement, or may in lieu of such allowance make a grant to such teacher by way of gratuity of such sum as will represent the present value of an allowance aforesaid for his life computed on the basis of interest at the rate of four per cent. per annum. 63 V. c. 53, s. 2.

NON-RESIDENT PUPILS.

Admission of non-resident pupils.

95.—(1) The trustees of every public school shall admit to their school any non-resident pupils who reside nearer such school than the school in their own section, providing always the inspector reports the accommodation of the school room sufficient for the admission of such pupils. In case of dispute as to the distance from the school, the decision of the inspector shall be final.

Fees of non-resident pupils.

(2) The parents or guardians of such non-resident children shall pay to the trustees of the school to which their children have been admitted such fees monthly as may be mutually agreed upon, provided such fees, together with the taxes paid to such school (if any), do not exceed the average cost of the instruction of the pupils of such school.

A resident of one section sending his children to another section.

(3) Any person residing in one school section, and sending his children to a neighbouring school, shall be liable for the payment of all rates assessed on his taxable property for the school purposes of the section in which he resides, but it shall be lawful for any board of trustees to remit the fees paid to the trustees of the neighbouring section.

Attendance of children of non-residents.

(4) Where the property of a non-resident is assessed for an amount equal to the average assessment of residents the children

children of such non-resident shall be admitted to the public school of the section on the same terms and conditions as the children of residents.

(5) When the children attending a neighbouring section are three miles or more distant in a direct line from the school-house in the section to which they belong, the trustees of the section in which such children are resident shall remit as much of the taxes chargeable upon the parents or guardians of such children, for school purposes, as would be at least equal to the fees paid to such neighbouring section.

Remission of school tax where certain fees paid.

(6) In case a county council establishes a house of refuge in any county any person of school age maintained in such house of refuge shall for the purposes of this Act be deemed a non-resident, and the county council shall pay to the trustees of the school attended by such person or persons such monthly fees as may be mutually agreed upon, provided such fees do not exceed the average cost of the instruction of the pupils of such school. R.S.O. 1897, c. 292, s. 90.

Pupils in house of refuge.

HOLIDAYS.

96.—(1) The public school teaching year shall consist of two terms: in rural schools the first term shall begin on the third Monday of August, and end on the 22nd day of December; the second term shall begin on the 3rd day of January, and end on the 30th day of June.

Holidays in rural schools.

(2) In urban municipalities the first term shall begin on the first day of September, and end on the 22nd day of December; the second term shall begin on the 3rd day of January, and end on the 30th day of June.

In urban schools.

(3) Every Saturday, every public holiday, the week following Easter Sunday, and every day proclaimed a holiday by the authorities of the municipality in which the teacher is engaged, shall be a holiday in public schools.

Saturdays and other holidays.

(4) In the territorial districts and in the Provisional County of Haliburton the trustees of any rural school may allot the time herein allowed for holidays at Easter and midsummer to suit the convenience of pupils and teachers, provided always that the same number of holidays be allowed and in periods of the same duration as herein set forth. R.S.O. 1897 c. 292, s. 91.

In territorial districts.

AUTHORIZED BOOKS.

97.—(1) Any authorized text-book in actual use in any public or model school may be changed by the teacher of such school for any other authorized text-book in the same subject on the written approval of the trustees and the inspector, provided always such change is made at the beginning of a school term, and at least six months after such approval has been given.

Change of text-book.

(2) In case any teacher negligently or wilfully permits any unauthorized text-book to be used by the pupils of his school,

Substitution of unauthorized text-books.

school, he shall for each such offence, on conviction thereof before a Police Magistrate or Justice of the Peace, be liable to a penalty payable to the municipality for public school purposes, not exceeding \$10, together with costs, as the Police Magistrate or Justice may think fit. R.S.O. 1897, c. 292, s. 92.

APPEALS FROM DIVISION COURT DECISIONS.

Appeals from
Division
Courts.

98. (1) The Judge of any Division Court wherein any action between teachers, inspectors, trustees, or others acting under this Act, or *The High Schools Act*, is tried, may, at the request of either party, order the entering of judgment to be delayed for a sufficient time to enable such party to apply to the Minister of Education to appeal the case.

Minister may
appeal to
High Court.

(2) The Minister may, within one month after the rendering of judgment in any such case, appeal from the decision of the Division Court Judge to a Divisional Court of the High Court of Justice, by serving notice in writing of such appeal upon the clerk of the Division Court appealed from, which appeal shall be entitled "The Minister of Education for Ontario, Appellant, in the matter between (A. B. and C. D.)" But nothing herein contained shall be held to interfere with the right of any of the parties to the action to exercise the ordinary right of appeal.

Judges to send
papers to
High Court.

(3) The Judge whose decision is thus appealed from, shall thereupon certify under his hand, to the Central Office of the High Court at Toronto, the summons and statement of claim and other proceedings in the case, together with the evidence and his own judgment thereon, and all objections made thereto. After notice of appeal has been served as hereinafter provided no further proceedings shall be had in such case until the matter of appeal has been decided by the High Court.

No further
proceedings
to be taken
after notice
of appeal.

Judge to
certify pro-
ceedings to
the Minister.

(4) On the Judge receiving a notice of appeal from his decision (under the authority of this Act), he shall thereupon certify under his hand, to the Minister of Education, the summons and statement of claim and other proceedings in the case, together with the evidence and his own judgment thereon, and all objections thereto. The High Court shall give such order or decision to the court below, touching the judgment to be given in the matter, as the circumstances of the case require. Upon receipt of such order, direction and certificate, the Judge of the Division Court shall forthwith proceed in accordance therewith.

Order of
Court.

Proceedings
in division
court when
appeal
decided.

Costs.

(5) The Court may also in its discretion award costs against the appellant, which costs shall be certified to and form part of the judgment of the court below. All costs awarded against an appellant, and all costs incurred by him, may be paid by the Minister, and charged as contingent expenses of his office. R.S.O. 1897 c. 292, s. 93.

SCHOOL VISITORS.

99.—(1) Judges, members of the Legislature, members of county councils, and aldermen shall be school visitors in the municipalities where they respectively reside. All clergymen shall be school visitors in the municipalities where they have pastoral charge. Public school visitors defined.

(2) School visitors may visit public schools as in this Act provided. They may also attend the examination of schools, and at the time of any such visit, may examine the progress of the pupils, and the state and management of the school, and give such advice to the teacher and pupils, and any others present, as they deem expedient. R.S.O. 1897 c. 292, s. 94. Authority to visit public schools.

PENALTIES AND PROHIBITIONS.

100. If any township clerk neglects or refuses to prepare and furnish the map of the school sections of his municipality as required by this Act, or if he neglects for one month to make any return required by this Act, he shall be liable to a penalty not exceeding \$10, to be recovered before a Justice of the Peace, for the school purposes of his municipality, at the instance of any ratepayer thereof. R.S.O. 1897 c. 292, s. 95. Clerk neglecting or refusing to perform duties.

101. Any person who wilfully makes a false declaration of his right to vote at any school meeting or election of school trustees shall be liable to a penalty of not less than \$5 nor more than \$10 to be sued for and recovered with costs before a Justice of the Peace, by the public school trustees of the city, town, village, or school section, for its use. R.S.O. 1897 c. 292, s. 96. Also declaration as to right to vote.

102. Any public school trustee who refuses to serve after being duly elected shall be liable to a penalty of \$5, and any person elected as a school trustee who attends any meetings of the school board as such, after being disqualified under this Act, shall be liable to a penalty of \$20 for every meeting so attended. R.S.O. 1897 c. 292, s. 97. Disqualified persons acting as trustees.

103. No public school trustee shall be eligible to appointment as public school inspector, or teacher, within the section of which he is a trustee; nor shall the teacher of any public, high, or separate school hold the office of public school trustee, nor shall an inspector be a teacher or trustee of any public, high or separate school while he holds the office of inspector. R.S.O. 1897 c. 292, s. 98. Trustees not to hold certain offices.

104. Any trustee who is convicted of any felony or misdemeanour, or becomes insane, or absents himself from the meetings of the board for three consecutive months, without being authorized by resolution entered upon its minutes, or ceases to be an actual resident within the school section for which he is

Seat vacated by conviction for crime, etc.

a trustee, shall *ipso facto* vacate his seat and the remaining trustee or trustees shall declare his seat vacant and forthwith order a new election. R.S.O. 1897 c. 292, s. 99.

Seat vacated
by interest in
contract with
corporation.

105. Any trustee who has any pecuniary interest, profit or promise or expected benefit in, or from any contract, agreement or engagement, either in his own name, or in the name of another, with the corporation of which he is a member, or who receives, or expects to receive any compensation for any work, engagement, employment or duty, on behalf of such corporation, shall *ipso facto* vacate his seat, and every such contract, agreement, engagement or promise shall be null and void, and on the complaint of two ratepayers of the section or of the remaining trustee or trustees, the County Judge may declare the seat vacant, and forthwith order a new election, provided always that it shall be lawful for the trustees of any rural school section to allow the secretary or secretary-treasurer such compensation for his services, for the purposes specified in this Act, as may be approved at the annual meeting of the ratepayers and duly entered in the minutes.

Provided further that any journalist or the publisher of any periodical, who may be elected public school trustee, shall not by reason of the publication of any advertisement in the regular course of business in any newspaper or periodical of which such trustee is proprietor, or in which he is the holder of any shares or stock, be deemed to be disqualified to serve as school trustee. R.S.O. 1897, c. 292, s. 100; 62 V. (2) c. 36, s. 16.

Newspaper
proprietors
inserting
official adver-
tisements not
disqualified
from sitting
in boards, etc.

106. No person shall be disqualified from being elected a member of any public school board, or from sitting and voting in such board by reason only of his being proprietor of or otherwise interested in a newspaper or other periodical publication in which from time to time official advertisements are inserted by the board which appear in other newspapers or publications in the school district, or which is subscribed for by the board or by any of the departments or offices of the school district, although such advertisements or subscriptions are paid for at the usual rate out of the moneys of the school board, but this shall not apply to any person who has entered into an agreement or contract with a school board to do at a specified rate all or the greater part of the printing required by such board during the term of such agreement or contract, but such member of school board shall not be entitled to vote where his own account is in question. 62 V. (2) c. 11, s. 22.

Penalty for
not calling
school meet-
ings.

107. In case any annual or other rural school meeting has not been held for want of the proper notice, every trustee or other person whose duty it was to give the notice, shall forfeit the sum of \$5 to be sued for and recovered before a Justice of the Peace, by any resident inhabitant in the rural school section, for the use thereof. R.S.O. 1897, c. 292, s. 101.

108. Any person who wilfully disturbs, interrupts, or disquiets the proceedings of any school meeting authorized to be held by this Act, or anyone who wilfully interrupts or disquiets any public school established and conducted under its authority, or other school, by rude or indecent behaviour, or by making a noise either within the place or where such school is kept or held, or so near thereto as to disturb the order of exercises of the school, shall, for each offence, on conviction thereof before a Justice of the Peace, on the oath of one credible witness, forfeit and pay for public school purposes to the school section, city, town, or village within which the offence was committed, a sum not exceeding \$20 together with the costs of the conviction, as the said Justice may think fit. R.S.O. 1897, c. 292, s. 102.

Penalty for disturbing a school or school meeting.

109. Every person elected as trustee who has not refused to accept the office, and who at any time refuses or neglects to perform its duties, shall forfeit the sum of \$20 to be sued for and recovered before a Justice of the Peace, by the trustees, or any person whomsoever for the purposes of such trustees. R.S.O. 1897, c. 292, s. 103.

Penalty for refusing to perform duties.

110. Any trustee or public school corporation who wilfully neglects or refuses to exercise all the corporate powers vested in them by this Act, for the fulfilment of any contract or agreement made by them, shall be held to be personally responsible for the fulfilment of such contract or agreement. R.S.O. 1897, c. 292, s. 104.

Penalty for refusing to exercise corporate powers.

111. Any chairman who neglects to transmit to the county inspector a minute of the proceedings of any annual or other rural school section meeting over which he has presided, within ten days after the holding of such meeting shall be liable, on the complaint of any ratepayer, to a fine of not more than \$5 to be recovered as provided by this Act. R.S.O. 1897 c. 292, s. 105.

Penalty on chairman for neglect.

112. If any trustees refuse or neglect to take proper security from the secretary-treasurer, or other person to whom they entrust school moneys, they shall be held personally responsible for the moneys. R.S.O. 1897, c. 292, s. 106.

Liability for neglect to take security.

113. If any part of the public school fund or moneys is embezzled or lost, through the dishonesty or faithlessness of any trustee, secretary-treasurer, or other person to whom it has been entrusted, and proper security against the loss has not been taken, the person or persons whose duty it was to have exacted the security shall be personally responsible for the sums so embezzled or lost; and such sums may be recovered from him or them by the person entitled to receive the same, by action in any court having jurisdiction to the amount, or by information at the suit of the Crown. R.S.O. 1897, c. 292, s. 107.

Responsibility in case of lost school moneys.

Penalty on secretary-treasurer, or trustee for refusing to account.

114. No secretary-treasurer appointed by the school trustees of any school section, and no person having been such secretary-treasurer, and no trustee or other person who may have in his possession any books, papers, chattels, or moneys, which came into his possession as such secretary-treasurer, trustee or otherwise, shall wrongfully withhold, or neglect or refuse to deliver up, or account for, and pay over the same or any part thereof to the person, and in the manner directed by the school corporation then in office, or by other competent authority; and such withholding, neglect or refusal to deliver up or account for, shall be punishable, as provided in the three following sections of this Act. R.S.O. 1897, c. 292, s. 108.

Mode of proceeding.

115. Upon application to the Judge of the County Court, by a majority of the trustees, or by any two ratepayers of the section supported by their affidavit made before some Justice of the Peace, of such wrongful withholding or refusal, the Judge shall make an order that such secretary-treasurer, or person having been such secretary-treasurer or trustee, or other person, do appear before him at a time and place to be appointed in the order.

Service of order.

(2) Any bailiff of a Division Court, upon being required by the Judge, shall serve the order personally on the person complained against, or leave the same with a grown-up person at his residence.

Judge to issue order.

(3) At the time and place so appointed, the Judge being satisfied that service has been made, shall, in a summary manner, and whether the person complained of does or does not appear, hear the complaint, and if he is of opinion that the complaint is well founded, the Judge shall order the person complained of to deliver up, account for, and pay over the books, papers, chattels, or moneys as aforesaid, by a certain day to be named by the Judge in the order, together with such reasonable costs incurred in making the application as the Judge may tax.

Effects of non-compliance with judge's order.

(4) In the event of non-compliance with the terms specified in such order, or any of them, the Judge shall order the said person to be forthwith arrested by the sheriff of any county in which he may be found, and to be committed to the common gaol of his county, there to remain without bail until the Judge is satisfied that the person has delivered up, accounted for, or paid over the books, papers, chattels or moneys in question, in the manner directed by the majority of the trustees, or other competent authority as aforesaid; upon proof of his having so done, the Judge shall make an order for his discharge, and he shall be discharged accordingly.

Other remedy not affected.

(5) No such proceedings shall impair or affect any other remedy which the said trustees, or other competent authority, may have against the secretary-treasurer, or person having been such secretary-treasurer or his sureties, or against any trustee or other person as aforesaid. R.S.O. 1897, c. 292, s. 109.

116. The trustees, or their secretary-treasurer in their behalf, shall not refuse to furnish the auditors of any accounts of the school corporation, or either of them, with any papers or information in their power, which may be required of them relative to their school accounts, and for any contravention of this section upon prosecution therefor by either of the auditors, or any ratepayer, shall be liable to a penalty of \$20. R.S.O. 1897, c. 292, s. 110.

Penalty on trustees refusing information, etc., to auditor.

117. In case the trustees of any rural school section neglect to transmit to the county inspector, on or before the 15th day of January in every year, a correct and verified statement of the average attendance of pupils in each of the schools under their charge during the twelve months then immediately preceding, then the school section shall not be entitled to the apportionment from the school fund for the said twelve months, and the trustees so neglecting shall be personally responsible for the amount of the loss of such apportionment. R.S.O. 1897, c. 292, s. 111.

Penalty for neglect to send half-yearly returns.

118. In case the trustees of any school section neglect to prepare and forward the aforesaid annual report to their county inspector by the 15th day of January in every year, each of them shall, for every week after such 15th day of January, and until such report has been prepared and presented, forfeit the sum of \$5 to be sued for by the county inspector, and collected and applied in the manner provided for by this Act. R.S.O. 1897, c. 292, s. 112.

Penalty for delaying yearly report.

119.—(1) If any trustee of a public school knowingly signs a false report, or if any teacher of a public school keeps a false school register, or makes a false return, with the view of obtaining a larger sum than the just proportion of school moneys coming to such school, or for any other improper purpose, the trustee or teacher shall, for every offence, forfeit to the public school fund of the municipality the sum of \$20 for which any person whatever may prosecute him before a Justice of the Peace, and the trustee or teacher may be convicted on the oath of one credible witness other than the prosecutor.

Penalty for false school reports and registers.

(2) If upon conviction, the penalty is not forthwith paid, the same shall, under the warrant of the Justice, be levied with costs by distress and sale of the goods and chattels of the offender, and shall be paid by the Justice to the public school board. R.S.O. 1897, c. 292, s. 113.

Recovery by distress.

120. The trustees of every school section shall be personally responsible for the amount of any school moneys forfeited by or lost to the school section in consequence of the neglect of duty of the trustees during their continuance in office. The amount thus forfeited or lost shall be collected and applied in the manner provided for by this Act. R.S.O. 1897, c. 292, s. 114

Trustees personally responsible for moneys lost.

GENERAL PROHIBITIONS.

No inspector, trustee, teacher, etc., to act as agent for the sale of books, maps, etc.

121.—(1) No teacher, trustee, inspector, or other person officially connected with the Education Department, the normal, model, public, or high schools or collegiate institutes, shall become or act as agent for any person or persons to sell, or in any way to promote the sale for such person or persons, of any school, library, prize or text-book, map, chart, school apparatus, furniture or stationery, or shall receive compensation or other remuneration or equivalent for such sale, or for the promotion of sale in any way whatsoever.

Refusal to give up key, etc.

(2) Any teacher who refuses to give up to the school trustees possession of any visitor's book, school register, schoolhouse key or any other school property in his possession shall not be deemed a qualified teacher until restitution is made, and shall also forfeit any claim which he may have against the said trustees. R.S.O. 1897, c. 292, s. 115.

HOW FINES AND PENALTIES MAY BE RECOVERED.

How penalties under this Act shall be recoverable.

122.—(1) Unless it is in this Act otherwise provided, all fines, penalties, and forfeitures recoverable by summary proceedings, may be sued for, recovered, and enforced with costs, by and before any Police Magistrate or Justice of the Peace having jurisdiction within the municipality in which such fine or penalty has been incurred.

(2) If the fine or penalty and costs are not forthwith paid, the same shall, by and under the warrant of the convicting Justice, be enforced, levied and collected with costs, by distress and sale of the goods and chattels of the offender, and shall be by the Police Magistrate or Justice paid over to the school treasurer of the school section, city, town, or village, or other party entitled thereto.

(3) In default of such distress, the Police Magistrate or Justice shall, by his warrant, cause the offender to be imprisoned for any time not exceeding thirty days, unless the fine and costs, and the reasonable expenses of endeavouring to collect the same, are sooner paid. R.S.O. 1897, c. 292, s. 116.

CONFIRMING AND REPEALING CLAUSES.

School lands granted before 1850 vested in trustees for school purposes.

123. All lands which previous to the 24th day of July 1850, were granted, devised or otherwise conveyed to any person or persons in trust for common school purposes, and held by such person or persons and their heirs or other successors in the trust, and have been heretofore vested in the public school trustees of the school section or municipality in which such lands are respectively situate, shall continue vested in such trustees, and shall continue to be held by the said trustees and their successors upon the like trusts and subject to the same conditions and estates upon or subject to which the said lands are now respectively held. R.S.O. 1897, c. 292, s. 117.

124. The following Acts and parts of Acts of the Legislature of Ontario are hereby repealed. Revised Statutes of Ontario 1897, chapter 292—62 Victoria (Second Session) chapter 11, sections 22 and 29 and chapter 36 so far as the same relate to Public Schools, 63 Victoria, chapter 53.

FORM A.

(Sections 33, 76.)

FORM OF SCHOOL DEBENTURE.

PROVINCE OF ONTARIO.

\$		No.
<i>Debenture of the</i>	<i>of</i>	<i>County of</i>
<i>School Loan.</i>		<i>, for</i>

The corporation of the _____ of _____ hereby promises to pay to Bearer at the Bank of _____, at _____ the sum of _____ dollars, in lawful money of Canada, _____ year from the date hereof; and to pay interest at the rate of _____ per cent. per annum, half yearly, to the Bearer of the annexed coupons respectively, upon the presentation thereof at the said bank.

Issued at _____, this _____ day of _____ 19____, by virtue and under the authority of *The Public Schools Act*, and pursuant to By-law No. _____ of said _____ of _____, passed on the _____ day of _____, A.D. 19____, intituled "A By-law to raise, by way of loan the sum of _____ dollars for the purpose therein mentioned (*or as the case may be*)."

A. B.,

Reeve or Mayor.

C. D.

Treasurer.

COUPON No. _____

The Corporation of the _____ of _____ will pay the Bearer at the Bank of _____, on the _____ day of _____, the sum of _____ dollars, interest due on that day on Debenture No. _____.

C. D.,

Treasurer.

R.S.O. 1897, c. 292.

CHAPTER 40.

An Act respecting High Schools and Collegiate Institutes.

SHORT TITLE, s. 1.	HIGH SCHOOL SITES, ss. 17-30.
INTERPRETATION, s. 2.	PROPERTY VESTED IN TRUSTEES, s. 31,
HIGH SCHOOL CORPORATIONS, s. 3.	32.
UNION OF PUBLIC AND HIGH SCHOOLS,	MUNICIPAL GRANTS :
s. 4.	For maintenance, ss. 33-35.
DISSOLUTION OF SCHOOL BOARDS, ss.	For permanent improvements,
5, 6.	ss. 36-39.
HIGH SCHOOL DISTRICTS, ss. 7, 8.	HIGH SCHOOL FEES, s. 40.
NEW HIGH SCHOOLS, s. 9.	ENTRANCE EXAMINATION, s. 41.
COURSE OF INSTRUCTION, ss. 10-12.	HIGH SCHOOL TEACHERS, s. 42.
TRUSTEES :	Agreements with, s. 43.
Qualification and appointment,	Retiring allowance, s. 44.
s. 13.	TERMS, s. 45.
Vacancies, s. 14.	PENALTIES AND PROHIBITIONS, ss
First meeting, s. 15.	46-49.
Duties, s. 16.	AUTHORIZED BOOKS, s. 50.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

GENERAL.

- Short title. **1.** This Act may be cited as "*The High Schools Act.*" 59 V. c. 71, s. 1.
- Interpreta- **2.** Where the words following occur in this Act they shall
tion. be construed in the manner hereinafter mentioned, unless a
contrary intention appears ;
- " High **1.** " High Schools " shall include Collegiate Institutes.
Schools, "
" Muni- **2.** " Municipality " shall mean a city, town, incorporated
cipality."
village or township, but shall not mean a county.
- " County." **3.** " County " shall include counties united for municipal
purposes.
- District." **4.** " District " shall mean the municipalities and parts of
municipalities over which the high school board of trustees has
jurisdiction as a corporation.

5. "County pupils" shall mean pupils whose parents or guardians reside in the county in which the high school attended by such pupils is situated, but not within the limits of such high school district.

6. "Resident pupils" shall mean pupils whose parents or guardians reside in the district in which the high school attended by such pupils is situated; or whose parents or guardians are assessed for an amount equal to the average assessment of the ratepayers of the district.

7. "Non-resident pupils" shall mean pupils whose parents or guardians do not reside in the county, city or town separated from the county in which the high school attended by such pupils is situated.

8. "Permanent improvements" shall mean such expenditure as may be necessary for the purchase or rental of a residence for the teacher, or for the purchase or rental of a school site and the erection or rental of a school house, or for the enlargement of both or either of them, or for permanently changing the system of heating and ventilation, the erection of fences, outhouses and gymnasium, or for the purchase of school furniture, maps and apparatus, library, and all other appliances required by the Regulations of the Education Department for High Schools. R.S.O. 1897, c. 293, s. 2, 1-8.

9. "Maintenance" shall mean such expenditure as may be necessary for ordinary repairs in the teacher's residence or for the improvement of the grounds attached thereto, and for the salaries of teachers, officers and servants of the board and for conducting the entrance examination prescribed by this Act and for repairs to school buildings, outhouses, gymnasium, and fences and for the improvement of the school grounds, the repair of school furniture, insurance of the school property, and sundry expenses for ordinary school purposes and such annual additions to the library, apparatus, and other school appliances as may be required by the Regulations of the Education Department for High Schools, and shall also include gratuities and retiring allowances granted to teachers. R.S.O. 1897, c. 293, s. 2, 9; 63 V. c. 54, s. 2.

10. "County Judge" or "Judge" shall mean the senior Judge of the county in which the high school is situated, provided he is not a member of the High School Board and is able to act, but if he is a member of the Board or is unable to act, then the term shall mean the junior County Judge if not a member of the Board and if able to act, but otherwise the term shall mean the Judge of the adjoining county with the largest population according to the last Dominion census. R. S. O. 1897, c. 293, s. 2; 63 V., c. 54, s. 2.

HIGH SCHOOL CORPORATIONS.

Trustees to be
a corporation.

3.—(1) The trustees of every high school district shall be a corporation, by the name of "The—High School Board," (prefixing to the term "High School," or, "Collegiate Institute," the name of the municipality within which such high school or collegiate institute is situated), and shall have and possess all the powers usually enjoyed by corporations, so far as the same are necessary for carrying out the purposes of this Act.

(2) The trustees of every high school shall hold office until their successors are appointed and the new board is organized. R. S. O. 1897, c. 293, s. 3.

UNION OF PUBLIC AND HIGH SCHOOL BOARDS.

Boards of
education.

4. (1) The trustees of any public and high school exercising jurisdiction within the same municipality may unite as a board of education for such municipality, on filing with the clerk of the municipality certified copies of resolutions to that effect, passed at meetings of each board called for the purpose of considering such union. The union so agreed upon shall take effect on and after the date fixed by this Act for the first meeting of a board of education, and thereupon all property vested in the respective boards shall become vested in the board of education, and all debts, contracts and agreements for which the respective boards were liable, shall become obligations of the board of education. R. S. O. 1897, c. 293, s. 4 (1).

(2) When a board of education is formed in any municipality in which more high schools than one have been established, all appointments by the municipality to the board of education for high school purposes shall cease from the date of any meeting at which it was agreed to form such board of education until the number of high school representatives appointed by the municipal corporation has been reduced below the number of six trustees, unless there is more than one High School in the municipality, when the number of High School trustees shall be nine, and thereafter appointments shall be made as provided by this Act, so as to secure a complete rotation of trustees every three years. R. S. O. 1897, c. 293, s. 4 (2).

(3) The union of the trustees of any public and high school so united shall form one corporation under the name of "The Board of Education" for the city, town, incorporated village or township of—(as the case may be). Such board shall have the powers of public and high school trustees. A majority of the members shall form a quorum. R. S. O. 1897, c. 293, s. 4 (3).

DISSOLUTION OF SCHOOL CORPORATIONS.

Dissolution of
boards.

5. If at any meeting of a board of education called for that purpose a majority of all the members thereof, vote in
favour

favour of the dissolution of the board such board shall be dissolved on and after the date fixed by this Act for holding the first meeting of a board of education in each year.

(2) In case any board of education is dissolved, the members of such board of education who were appointed on behalf of the high school shall be the board of trustees for such high school, to hold office for the full term of their appointment or until changed according to this Act.

Members of board for high school to be high school trustees.

(3) In the case of such dissolution as aforesaid all school property held by the corporation for high school purposes shall vest in the high school board of trustees, subject to any trust for public school purposes attached thereto; and any other property held or possessed jointly by the corporation before dissolution shall be divided as may be agreed upon by the trustees of the high school and public school respectively at a meeting called for that purpose. If no division is made within six months, then the division shall be made forthwith by the council of the municipality within which the high school is situated. R.S.O. 1897, c. 293, s. 5.

Division of property at dissolution.

6. All high school districts and all appointments, agreements, contracts, assessments, and rate-bills, heretofore duly made in relation to high schools existing at the passing of this Act, and all powers and duties connected therewith, shall continue in full force and effect, subject to the provisions of this Act. R.S.O. 1897, c. 293, s. 6.

Existing high school organizations continued.

HIGH SCHOOL DISTRICTS.

7 Where prior to the first day of January, 1896, the municipal council of any county or of any municipality did by by-law set apart and constitute the county or any portion thereof as a district for high school purposes, the by-law, if not set aside, repealed, or quashed by any lawful authority in that behalf shall, to all intents and for all purposes be considered and taken as valid, legal and binding, and the high school district thereby constituted or intended to be constituted, shall also for all purposes be deemed, and taken as having been lawfully and validly constituted.

By-laws setting apart portions of counties for high school purposes.

(2) The county council may, on the petition of any municipal corporation, detach the same or any portion thereof from any high school district formed by by-law of the county council, but any change made in the boundaries of a high school district shall not relieve the taxable property of the district or any portion thereof from rates imposed for the issue of debentures or from any other debts incurred prior to such change. R.S.O. 1897, c. 293, s. 7.

Lands not relieved from rates.

8. On the petition of two-thirds of the ratepayers of any municipality or of any portion thereof contiguous to a high school district, or to an incorporated village or town containing

Union of portions of municipalities for high school purposes.

taining less than 3,000 inhabitants, in which a High School has been established, as provided by sub-section 2 of section 9 of this Act, the municipal council of such municipality shall, by by-law, unite the whole, or such portion thereof as is set forth in the said petition, to such high school district for high school purposes, and such union shall take effect on the first day of January next following the lapse of six months after the adoption of such by-law. R. S. O. 1897, c. 293, s. 8 (1); 61 V. c. 34, s. 1.

Withdrawal
from union.

(2) On like petition and in like manner any municipality or any portion thereof united as aforesaid, may withdraw from such high school district, but any by-law for such withdrawal shall not come into operation until the first day of January next following the lapse of six months from the passing thereof, and shall not relieve the municipality or any portion thereof from any rates imposed for the issue of debentures or from any other debts incurred while such municipality or part thereof was attached to such high school district.

Certificate of
clerk to be
evidence as to
number of
ratepayers.

(3) The certificate of the clerk of the municipality with respect to the number of ratepayers in such municipality, or in that part thereof to which the petition heretofore mentioned is intended to refer, shall be final and conclusive.

Adjustment of
assets and li-
abilities upon
union of
municipali-
ties.

(4) In all cases in which two municipal corporations are united by proclamation or by any Act of the Legislature, all the assets and liabilities of the school corporations of the minor municipality shall be assumed by the school corporation of the united municipality. R.S.O. 1897, c. 293, s. 8 (2)-(4).

NEW HIGH SCHOOLS.

Establishment
and discontin-
uance of high
schools.

9. (1) On or before the first day of July in any year, the municipal council of any county may, subject to approval by the Lieutenant-Governor in Council, pass a by-law for the establishment of a new high school in any municipality, containing not fewer than one thousand inhabitants, according to the last municipal census, and the municipal council of any county may in like manner discontinue, at the end of the current calendar year, any high school already established. R. S. O. 1897, c. 293, s. 9 (1).

Formation of
districts in
special cases.

(2) Where it is proposed to form a high school district to be composed of more municipalities than one, or of an incorporated village or town and part of one or more municipalities within the county, the county council may pass a by-law for the establishment of a high school in any incorporated village, although containing less than one thousand inhabitants, within the proposed district, but such by-law shall not be operative until it is shown to the satisfaction of the Lieutenant-Governor in Council that the municipalities affected have passed by-laws as provided by section 8 of this

this Act, for uniting with such incorporated village so as to constitute a district containing at least 3,000 inhabitants according to the last Dominion census. R. S. O. 1897, c. 293, s. 9 (2); 61 V., c. 34, s. 2.

(3) The municipal council of a city may establish as many high schools in such city as it may deem expedient, subject to the approval of the Lieutenant-Governor in Council. R.S.O. 1897, c. 293, s. 9 (3). In cities.

HIGH SCHOOL COURSE OF STUDY.

10.—(1) In every high school, instruction shall be given in the higher branches of a practical English and commercial education; the natural sciences, with special reference to agriculture; the elements of mathematics and physics; and the Latin, Greek, French and German languages, so far as to prepare students for matriculation into the University of Toronto. When the Senate of the University prescribes optional courses for matriculation, the trustees of any high school may prescribe the option or options to be taken in such school Course of instruction in high schools.

(2) Any high school that complies with the regulations of the Education Department with respect to collegiate institutes may be raised to the rank of a collegiate institute by order of the Lieutenant-Governor in Council. R.S.O. 1897, c. 293, s. 10. Collegiate Institutes.

11. It shall be lawful for the trustees of any high school to establish classes in military instruction, and in the event of their so doing and appointing a qualified drill instructor, they shall be entitled to receive the sum of \$50 annually out of any money voted by the Legislative Assembly for that purpose, provided the class consists of not less than twenty-five pupils over sixteen years of age and passes such examination and inspection as may be prescribed by the Education Department. R. S. O. 1897, c. 293, s. 11. Military instruction.

12.—(1) The council of every municipality may, subject to the regulations of the Education Department, employ one or more persons holding the degree of Bachelor of the Science of Agriculture or a certificate of qualification from the Ontario Agricultural College, to give instruction in agriculture in the high schools of the municipality, and the council shall have power to raise such sums of money as may be necessary to pay the salaries of such instructors and all other expenses connected therewith. Such course of instruction shall include a knowledge of the chemistry of the soil, plant life, drainage, the cultivation of fruit, the beautifying of the farm, and generally all matters which would tend to enhance the value of the products of the farm, the dairy and the garden. Appointment of instructors in agriculture.

(2) The trustees of any high school or any number of boards of such trustees may severally or jointly engage the services

services of any person qualified as in the preceding section for the purpose of giving similar instruction to the pupils of their respective schools, provided always that such course of instruction shall not supersede the instruction of the teacher in charge of the school, as required by the regulations of the Education Department.

Course to be open to all residents.

(3) As far as practicable, the course of lectures in agriculture by such temporary instructor, shall occupy the last school period of each afternoon and shall be open to all residents of the school section or municipality. 62 V. (2) c. 36, s. 13.

TRUSTEES

Qualification of trustee.

13.—(1) Any ratepayer 21 years of age residing in the county or municipality in which the high school is situated who is not a member or officer of the municipal council of such municipality or county shall be qualified to serve as a high school trustee, or as a member of a board of education.

Number and appointment of high school trustees.

(2) Every high school corporation shall consist of at least six trustees. In the case of high schools situated in any municipality within the jurisdiction of the county, three of such trustees shall be appointed by the county council, and additional trustees shall be appointed by the municipalities composing the high school district as follows, that is to say:—

(a) Where a high school district is composed of one municipality the municipal council thereof shall appoint three additional trustees; where a high school district is composed of two municipalities, each municipality shall appoint two additional trustees; and where a district is composed of more than two municipalities, each municipality shall appoint one additional trustee. Any portion of a municipality assessed for \$50,000, included in a high school district, shall be considered a municipality for the purposes of this section. In every case one of the trustees appointed by the county council and one trustee in each municipality composing the high school district shall retire each year.

(3) Where a high school district is composed of a county, the county council shall appoint six trustees for such district, two of whom shall retire every year.

(4) In cities and in towns separated from the county, the municipal council thereof shall appoint six trustees for each of the high schools of such city or town; where the high schools in a city do not exceed three in number the municipal council shall appoint six trustees for each high school, and the trustees so appointed shall, with such additional trustees as are authorized by this Act, form one corporation. The municipal council of every city and town shall, by by-law, provide for the annual retirement of so many of the trustees appointed by the council as shall secure a complete rotation every three years. R. S. O. 1897, c. 293, s. 12 (1) (4).

(5) Where the trustees of any high school situated in a city or in a town separated from the county, notify the county clerk that such high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county, the county council may, from time to time, appoint three additional trustees of and for such high school so long as the school is open to county pupils on the terms aforesaid; but such trustees in the case of the Board of Education shall not take any part in any of the proceedings affecting the public school, and such high school shall for all the purposes of this Act be considered a county high school. R. S. O. 1897, c. 293, s. 12 (5) amended.

(6) The separate school board of the city, town, or incorporated village in which a high school is situated, may appoint one trustee of and for the high school board or board of education, who shall not be a member of the separate school board and who shall hold office for one year, provided always, in the case of a board of education, that such trustee shall not take part in any of the proceedings affecting the public school.

(7) Except in the case of a board of education, the public school trustees of every city, town, or incorporated village in which a high school is situated, may appoint annually one trustee of and for the high school board, who shall not be a member of the public school board, and who shall hold office for one year. R. S. O. 1897, c. 293, s. 12 (6) (7).

Vacancies on Board.

14.—(1) Vacancies arising from the annual retirement of trustees shall be filled at the first meeting thereof after being duly organized in each year by the municipal councils or by the boards of trustees empowered under this Act to make the appointments; and vacancies arising from death, resignation, or removal from the high school district or county, or otherwise, shall be filled forthwith by the municipal council or board of trustees having the right of appointment, and the person appointed to fill such vacancy shall hold office only for the unexpired term of the person whose place has become vacant. Vacancies,
how filled.

(2) Where any town that has been separated from the county for municipal purposes is re-united to the county, the high school trustees appointed by the town council and in office at the time of such union shall continue in office till the expiration of the term for which they were appointed. Vacancies arising from any cause in the representation of the town shall not be filled till the number of trustees has been reduced below the number required by this Act. R.S.O. 1897, c. 293 s. 13.

First Meeting.

When first
meeting to be
held.

15.—(1) The first annual meeting of every board of trustees or board of education shall be held at the hour of seven o'clock (or at such hour of the same day as may have been determined by resolution of the former board,) in the afternoon of the first Wednesday of February, or at an earlier date fixed by the board in case all the appointments of trustees have been made.

Organization.

(2) Every first annual meeting of every board of trustees or board of education shall be organized by the election of a chairman who shall be a member of the board, and a secretary and treasurer, or secretary-treasurer.

Quorum.

(3) A majority of the board shall form a quorum. (*New.*)

Secretary to
preside at first
meeting until
chairman
elected.

(4) The secretary or secretary-treasurer for the previous year shall preside at the first meeting of the board until the chairman is elected, or if there be no secretary or secretary-treasurer then such member of the board shall preside as may be appointed for that purpose ;

Equality of
votes on the
election of
chairman.

(5) In case of an equality of votes at the election of chairman, the trustee who is assessed for the largest sum on the last revised assessment roll shall have a second or casting vote, in addition to his vote as a member of the board.

Chairman
to vote.

(6) The chairman or presiding officer of the board may vote with the other members of the board on all questions, and any question on which there is an equality of votes shall be deemed to be negatived. R.S.O. 1897, c. 293, s. 14 (2)-(4).

Duties of Trustees.

Duties of
trustees.

16. It shall be the duty of every board of trustees and they shall have power :—

Fix meetings
of board.

1. To fix the times and places of the board meetings, the mode of calling and conducting them, and of keeping a full and correct account of the proceedings of such meetings ;

Charge of
high school.

2. To take charge of the high school for which they have been appointed trustees, to keep the school buildings in proper repair, to provide from time to time suitable furniture and equipment and to see that the grounds and all the property of the corporation are duly protected ;

Collection of
fees for
tuition.

3. To settle the amount to be paid by parents and guardians for each pupil attending the high school, subject to this Act, to fix the times of payment, and, when necessary, to sue and recover such amounts ; R.S.O. 1897, c. 293, s. 15, (1-3).

4. To give the necessary orders upon the treasurer of the board for the payment of gratuities or retiring allowances of teachers and the salaries of the teachers and other officers and servants of the high school, and for such other expenses for promoting the interests of the high school as may be authorized by the board; and to take such security from the treasurer of the board as they may deem expedient; R.S.O. 1897, c. 293, s. 15, 4; 63 V. c. 54, s. 3.

Orders for salaries and expenses.

5. To apply to the municipal council or councils liable under this Act on or before the 1st day of August, or at such other time as may be required by the municipal council for such sums of money as the board may require for the maintenance of the high school for the twelve months next following the date of such application, exclusive of all fees from pupils and other sources, and of appropriations from the Legislature and municipal council of the county; and for such additional sum as they may deem expedient for permanent improvements for the same period of time not exceeding five hundred dollars;

Application to councils, how made.

6. To expel, on the report of the principal, any pupil whose conduct may be deemed injurious to the welfare of the school and to expel any pupil whose parents or guardians neglect or refuse to pay the tuition fees of such pupil after reasonable notice;

Expulsion of pupils.

7. To appoint and remove such teachers, officers and servants as they may deem expedient, and to fix their salaries and prescribe their duties; and to see that the high school is conducted according to this Act, and the regulations of the Education Department;

Appointment and removal of teachers.

8. To provide adequate accommodation according to the regulations of the Education Department for all resident pupils, and in the case of high schools receiving aid from the county for county pupils also, subject to section 34 of this Act;

Accommodation for pupils.

9. To certify to the treasurer of the county on or before the first of August in each year, the amount of fees collected from county pupils for the calendar year next preceding;

Certify fees received.

10. To prepare and transmit to the Minister of Education the annual report before the 15th of January, in accordance with forms provided by the Education Department. R.S.O. 1897, c. 293, s. 15 (5)-10.

Annual report to minister.

SITES FOR HIGH SCHOOLS.

17. A high school site shall not be selected in a township within a hundred yards of the garden, orchard, pleasure ground, or dwelling house of the owner without his consent. R.S.O. 1897, c. 293, s. 16.

Selection of site restricted.

Enlargement
of school site.

18. It shall be competent for the trustees to enlarge any existing high school site, as required by the regulations of the Education Department, but no such enlargement shall be made in the direction of, or including an orchard, garden pleasure ground or dwelling house, without the consent of the owner of the land required, unless the school site cannot be otherwise enlarged. R.S.O. 1897, c. 293, s. 17.

Arbitration in
case of dis-
agreement.

19. If the owner of any land selected by the board of trustees of any high school for a site, or for high school purposes or for the enlargement of the high school premises, refuses to sell the same, or demands therefor a price deemed unreasonable by the trustees of such high school, then such owner and trustees shall each forthwith appoint an arbitrator, and the arbitrators thus appointed, together with the senior county judge of the county in which the site in dispute is situated, or in the case of his inability to attend, any person appointed by him on his behalf as third arbitrator, or any two of them, shall appraise the damages for such land. R.S.O. 1897, c. 293, s. 18.

Proceedings
when owner
refuses to ap-
point an arbi-
trator.

20. If the owner of land selected for a school site, as provided by the preceding section neglects or refuses to appoint an arbitrator, it shall be competent for the County Judge, with the arbitrator appointed by the trustees, to meet and determine the matter; and in such cases the County Judge shall have a second or casting vote, if he and such arbitrator do not agree. R.S.O. 1897, c. 293, s. 19.

Powers of
arbitrators.

21. The arbitrators aforesaid, or any two of them, shall have the power to settle all claims or rights of incumbrancers, lessees, tenants, or other persons, as well as those of the owner, in respect of the land required for the purpose of the high school site, upon notice in writing to every such claimant, and after hearing and determining his claims or rights, and upon tender of the amount of such damage to the owner or other person entitled thereto, or to any part of such amount, by the trustees, the land shall be taken and used for the purpose aforesaid. R.S.O. 1897, c. 293, s. 20.

Proceedings
when one
arbitrator is
absent.

22. If only a majority of the arbitrators appointed to decide any case arising under the authority of this Act are present at any lawful meeting, in consequence of the neglect or the refusal of the other arbitrators to meet them, it shall be competent for those present to make and publish an award upon the matter or matters submitted to them, or to adjourn the meeting for any period not exceeding ten days, giving the absent arbitrator notice of the adjournment. R.S.O. 1897, c. 293, s. 21.

Award to
constitute
title.

23. Any award for a high school site made and published under this Act, if there be no conveyance, shall thereafter be deemed to be the title of the trustees to the land mentioned therein, and shall be a good title thereto against all persons interested in the property in any manner whatsoever, and shall

shall be registered in the proper registry office on the affidavit of the secretary of the board of trustees verifying the same. R.S.O. 1897, c. 293, s. 22.

24. The costs of arbitration shall be paid by the parties Costs. concerned in such proportion as may be determined by the arbitrators. R.S.O. 1897, c. 293, s. 23.

25. All corporations and persons whatever, tenants in tail or for life, guardians, executors, administrators, and all other trustees whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of those they represent, whether infants, issue unborn, lunatics, idiots, femmes-coverts, or other persons, seised, possessed of or interested in any land, may contract for, sell or convey all or part thereof to high school trustees for a school site or an addition to the school site, or for a teacher's residence; and any contract, agreement, sale, conveyance and assurance so made shall be valid and effectual to all intents and purposes whatsoever; and the corporations or persons so conveying are hereby indemnified for what they respectively do by virtue of or in pursuance of this Act. Who may convey. R.S.O. 1897, c. 293, s. 24.

26. If the owner of land duly selected for the said purpose is absent from the county in which the land lies, or is unknown, the trustees may procure from a sworn surveyor a certificate that he is not interested in the matter; that he knows the land and that some certain sum therein named is, in his opinion, a fair compensation for the same; and on filing the said certificate with the Judge of the County Court of the county in which the land lies, accompanied by an affidavit or affidavits which satisfy the Judge that the owner is absent from the county and that, after diligent inquiry, he cannot be found, the Judge may order a notice to be inserted for such a time as he sees fit in some newspaper published in the county and he may, in addition thereto, order a notice to be sent to any person by mail, or may direct service of the same to be effected in such other way as he sees fit. Notice in case owner is absent or unknown. R.S.O. 1897, c. 293, s. 25.

27. The notice shall contain a short description of the land and a declaration of the readiness of the trustees to pay the sum certified as aforesaid; shall give the name of a person to be appointed as the arbitrator of the trustees if their offer of that sum is not accepted; shall name the time within which the offer is to be accepted, or an arbitrator named by the owner; and shall contain any other particulars which the County Judge may direct. Particulars of notice. R.S.O. 1897, c. 293, s. 26.

28. If within such time as the Judge directs, the owner does not notify the trustees of the acceptance of the sum offered by them, or notify to them the name of a person whom he appoints as arbitrator, the Judge shall, on the application of the trustees, appoint a sworn surveyor to be sole arbitrator for determining Appointment of arbitrator by Judge.

determining the compensation to be paid for the property. R.S.O. 1897, c. 293, s. 27.

Responsibility of trustees as to compensation.

29. Where land is taken by the trustees without the consent of the owner, the compensation to be paid therefor shall stand in the stead of the land; and after the trustees have taken possession of land, any claim to, or incumbrance upon the same, or any portion thereof, shall, as against the trustees, be converted into a claim to the compensation or to a proportion thereof, and the trustees shall be responsible accordingly whenever they have paid such compensation or any part thereof to a party not entitled to receive the same, saving always their recourse against such party. R.S.O. 1897, c. 293, s. 28.

Deposit of compensation money by trustees.

30. If the trustees have reason to fear any claims or incumbrance, or if any party to whom the compensation or any part thereof is payable refuses to execute the proper conveyance, or if the party entitled to claim the same cannot be found or is unknown to the trustees, or if for any other reason the trustees deem it advisable, they may pay the arbitration and other expenses, and deposit the amount of the compensation with the High Court, or in such other manner as the County Judge may direct, with interest thereon for six months, and may deliver therewith an authentic copy of the conveyance, or of the agreement or award if there be no conveyance; and such agreement or award shall thereafter be deemed to be the title of the trustees to the land therein mentioned, and shall be a good title thereto against all persons interested in the property in any manner whatever, and shall be registered in the proper registry office on an affidavit of the secretary of the board of trustees verifying the same. R.S.O. 1897, c. 293, s. 29.

PROPERTY VESTED IN TRUSTEES.

High school property vested in trustees.

31.—(1) All property heretofore granted, devised or acquired in any municipality and vested in any person or persons, or corporation, for high school purposes, or which may hereafter be so granted, devised or acquired, shall be deemed and be taken as having vested absolutely in the board of high school trustees, and the board shall have full power to convey, sell, transfer, or lease such property, upon the adoption of a resolution by the board that such property is no longer required for high school purposes, and the proceeds of such sale, transfer or lease shall be applied for the use of such high school.

High school trustees may sell site.

(2) The trustees of any high school district or any board of education may, with the approval of a majority of the municipal council or councils composing the district, and of the Lieutenant-Governor in Council, sell, transfer or lease any site, territory or other property vested in them as a corporation, and after making provision for all debts and liabilities of the corporation, apply the residue of the proceeds of such sale, transfer or lease to

to any purpose that may be approved by the Lieutenant-Governor in Council, and on such sale, transfer or lease and disposition of assets as aforesaid, the Lieutenant-Governor in Council may, by proclamation in the *Ontario Gazette*, declare such corporation dissolved and determined. R. S. O. 1897, c. 293, s. 30.

32.—(1) The board of trustees of any high school or collegiate institute, upon receipt of any money bestowed by legacy, gift or otherwise, may agree with the person or persons from whom the same is received for the establishment of a permanent scholarship, provided such sum of money is sufficient when invested at a rate not exceeding four per centum per annum to yield an amount not less than the annual fee charged to pupils at such high school or collegiate institute.

Receiving money for establishment of scholarship.

(2) Such scholarship shall be awarded only to a ratepayer or to a child of a ratepayer of the municipality or municipalities contributing to the maintenance of such high school or collegiate institute.

Scholarships to be given to ratepayers.

(3) The board of trustees of any high school or collegiate institute shall have the right to invest any money received by them through legacy, gift or otherwise, and shall for such purpose have and exercise the powers conferred upon trustees by *The Trustee Investment Act*. 63 V. c. 54, s. 1.

Investment of scholarship fund.

Rev. Stat. c. 130.

MUNICIPAL GRANTS FOR MAINTENANCE.

33. The municipal council of every county shall on or before the 15th day of December in each year pay for the maintenance of every high school in any town not separated from the county, or in any incorporated village or township within the county, without any abatement because of fees paid by county pupils, an amount equal to the legislative grant apportioned by the Minister of Education for each of such high schools. R.S.O. 1897, c. 293, s. 31.

Aid to high schools from counties.

34.—(1) Where the cost of the maintenance of county pupils at any high school exceeds the legislative grant apportioned by the Minister of Education as aforesaid, and of the fees received from county pupils, the county shall, in lieu of the equivalent of the legislative grant, be liable for the maintenance of county pupils in the proportion which the average attendance of county pupils enrolled at such high school during the preceding three years bears to the average attendance of all the pupils enrolled at the same school for the same period of three years. In the case of new high schools the period herein mentioned for which the average attendance is to be reckoned, shall be the number of years for which such school was open, not exceeding three years.

When further grant from county to be made.

(2) In order to ascertain the liability of the county in all such cases the trustees shall submit to the County Judge as referee a detailed statement of the receipts and expenditure of the high school for maintenance for each of the preceding years under consideration such statement to be

Detailed statements required.

certified by the auditors authorized under this Act to audit high school accounts; and also a statement of the names, residence and attendance of resident, non-resident and county pupils for each year of a like period, such last mentioned statement to be certified by the chairman of the board. The chairman shall also certify as to the amount of the legislative grant and the fees from county pupils received for the time under consideration and the referee shall deduct the amount of such grant from the whole cost of maintenance of each high school, in determining the liability of the county for the maintenance of county pupils as required by the preceding sub-section, and shall give the county credit for the amount received as fees from county pupils as a payment on account of such maintenance.

Disputes as to
grants to be
referred to
county Judge.

(3) The trustees and the county council may by mutual agreement settle annually the amount to be paid by the county for the maintenance of county pupils, but in the event of their inability to agree with respect to such amount either party may refer the matter in dispute to the County Judge, who shall have power to settle the same. Provided that no settlement so made shall contravene the apportionment of county aid as authorized by section 38 of this Act, and any award made by the referee shall be binding on the parties thereto for a period of three years.

Costs of
reference.

(4) The costs of reference to the County Judge shall be paid by the municipal council of the county and the trustees of the high school concerned, in the proportion which the county pupils bear to all the pupils enrolled in such high school.

Provision for
maintenance
of county
pupils by
municipality
outside of the
high school
district.

(5) Any municipality not included in a high school district of the county may provide for the payment of its share of the maintenance of county pupils by assessment upon the rate-payers of the municipality. The amount payable in such case shall be in the proportion which the equalized assessment of the municipality bears to the equalized assessment of all the municipalities of the county not included in any high school district. When any rate is levied as aforesaid then

No other rates
to be levied
except for
Government
grant.

such municipality shall not be liable except as provided in section 36 for any other rates for high school purposes, and all money so collected shall be paid to the county treasurer on or before the 15th of December in each year.

Maintenance
of county
pupils in city
or town high
school.

(6) Where the trustees of any high school situated in a city or in a town separated from the county notify the county clerk that such high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county, the county council shall in all such cases pay the cost of the maintenance of county pupils at such high schools; and such sum may be settled by mutual agreement, but in case of any dispute the amount shall be settled as hereinbefore provided.

(7) Where any municipality is not under the jurisdiction of the same county council as the high school district to which it is contiguous, the county council having jurisdiction over such municipality may pay to the trustees of the high school attended by the pupils from such municipality for the maintenance of the pupils of such municipality at the same rate as for county pupils. R.S.O. 1897, c. 293, s. 32.

Contiguous municipality in another county

35. The municipal council or councils of every high school district shall levy and collect each year from their respective municipalities such sum or sums as the trustees of the high school may deem necessary for the maintenance of the high school in addition to that received from the county council and other sources under this Act, and a further sum, not exceeding five hundred dollars, in any one year, if required by the trustees for permanent improvements, and said sum shall be levied by one uniform rate over the whole district. R.S.O., 1897, c. 293, s. 33 (1).

Councils in high school districts to levy rates.

GRANTS FOR PERMANENT IMPROVEMENTS.

36. All sums of money required by the trustees of any high school for permanent improvements exceeding five hundred dollars shall be raised by assessment on the ratepayers of the municipality or municipalities composing the high school district, on the application of the board of trustees to the municipal council or councils of the district, made on or before the first of August in each year, and in the event of the municipal council, where the high school district is composed of one municipality, or in the event of a majority of the municipalities composing the high school district approving of such application, the municipality within which the high school is situated shall issue debentures therefor in the manner provided for the issue of municipal debentures under *The Municipal Act*. R.S.O. 1897, c. 293, s. 34.

Grants for improvements exceeding \$500.

Rev. Stat. c. 223.

37.—(1) In the case of a high school district composed of one municipality, if the council thereof refuses, or where the high school district is composed of two municipalities, if the council of one municipality refuses, or if a majority of the municipalities composing the high school district refuse to raise or borrow such sum of money aforesaid by debentures, the said council or councils shall, on the request of the trustees, submit such application to the vote of the municipality or municipalities concerned, in the manner provided by *The Municipal Act*, for the creating of debts, and in the event of the assent of a majority of the electors in the high school district qualified to vote upon a by-law for creating debts being thereby obtained, it shall be the duty of the council of the municipality in which the high school is situated to raise or borrow such sum.

Refusal of municipal council to provide funds.

Rev. Stat. c. 223.

(2) Where the high school district is composed of more municipalities than one, the municipal council of each municipality

Equalization of rates.

cipality composing the district shall pay to the council of the municipality in which the high school is situated such proportion of the loan raised for high school purposes as the equalized assessment of each municipality or part thereof belonging to the high school district, bears to the equalized assessment of the whole district. But nothing herein contained shall prevent the municipality within which the high school is situated from assuming the full cost of permanent improvements, or from undertaking to pay any debentures that may be issued for such purpose notwithstanding that such municipality forms only a part of the high school district.

Submission to
ratepayers.

(3) The municipal council or councils of any high school district, or a majority of them, may, if deemed expedient, without submitting the same to a vote of the ratepayers of the municipality or municipalities comprising the district, as required by *The Municipal Act*, for the creating of debts, pass a by-law or by-laws for the purpose of raising or borrowing money, on the application of the high school board for permanent improvements.

Rev. Stat.
c. 223.

Term of
debentures.

(4) Any debenture for any loan of money for school purposes may be for such term of years, not exceeding thirty, as the municipal council may think fit, or the municipal council may in its discretion make the principal of such debt repayable by annual or other instalments, in the manner provided by *The Municipal Act*.

Rev. Stat.
c. 223.

Exemption by
by-law not to
affect liability
for school
rates.

(5) No municipal by-law hereafter passed for exempting any portion of the rateable property of a municipality from taxation in whole or in part shall be held or construed to exempt such property from school rates of any kind whatsoever. R.S.O. 1897 c. 293, s. 35.

Assessments
for maintain-
ance or
permanent
improve-
ments.

38.—(1) The council of any municipality or county may raise by assessment in addition to the sum required to be raised by this Act, such further sums of money as may be deemed expedient by the council for the maintenance or permanent improvement of any high school, provided in the case of counties that the additional sum so raised for high school purposes shall be apportioned among all the high schools of the county in proportion to the liability of the county to each high school.

Rates in
united count-
ies may be
apportioned.

(2) The county council of two or more counties united for municipal purposes may apportion the amount to be levied for high schools so that each county forming such union shall be liable only for the maintenance of the high schools within such county. R.S.O. 1897 c. 293, s. 36.

Permanent
improve-
ments.

39. All moneys which any municipal council of the high school district is authorized to collect under this Act for permanent improvements shall be paid to the treasurer of the high school board on or before the 25th day of December of the year in which application was made by the high school trustees

trustees for such moneys; all moneys which the municipal council is authorized to collect by assessment, or to raise by way of loan, or otherwise, for the maintenance of a high school shall be paid from time to time to the high school treasurer as the board may, by requisition, require. For maintenance.

(2) The treasurer of every high school board shall give security to the board appointing him for the due and faithful performance of his duties, and shall submit his accounts to the auditors of the municipality in which the high school is situated, whose duty it shall be to audit such accounts in the same way as the municipal treasurer's accounts are audited. R.S.O. 1897 c. 293, s. 37. Security to be given by treasurer.

HIGH SCHOOL FEES.

40.—(1) County pupils shall pay to the treasurer of the high school board such fees as the municipal council of the county may deem expedient, but such fees shall be uniform and shall not exceed one dollar per month. The scale of fees so fixed shall take effect from the beginning of the high school term next ensuing after adoption thereof by the county council, and shall continue in force for three years or for such term as may be agreed upon between the trustees and county council. R.S.O., 1897, c. 293 s. 3 (1). County pupils.

(2) County pupils admitted to a high school situated in a city or in a town separated from the county, on the same terms as resident pupils, shall pay to the treasurer of the high school or collegiate institute board the same fees are paid by resident pupils. *New.*

(3) Non-resident pupils shall pay to the treasurer of the high school board such fees as the board of trustees may deem expedient, but such fee shall not be greater than the cost of maintenance at such high school, nor less than the fees imposed by the council on county pupils. Non-resident pupils.

(4) Resident pupils shall pay to the treasurer of the high school board such fees as the trustees of the high school may deem expedient. Resident pupils.

(5) The council of any municipality not included in a high school district may provide by assessment for the payment of any fees imposed by the county council on county pupils or by the board of trustees on non-resident pupils who reside in such municipality. R.S.O. 1897 c. 293, s. 38. (2)-(4). Council may pay fees.

ENTRANCE EXAMINATION.

41. A uniform entrance examination for the admission of pupils to high schools shall be held annually in every high school district according to such regulations as may be prescribed by the Education Department. Examinations may be held at such other places in every county as shall be recommended by the county council of which notice shall be given to the inspector by the county clerk. Expenses of examination.

Board of
examiners.

(2) Every high school district shall be under one board of examiners. The trustees of the public and separate schools of the city, town or incorporated village in which a high school is situated shall on or before the 1st day of June each appoint an examiner, for the purpose of such examination. The inspector or inspectors of public schools of the inspectoral district within which the high school is situated and the principal of the high school shall be *ex officio* members of such board.

Qualifications
of examiners.

(3) Any person actually engaged in teaching, who is the holder of a first-class certificate, or any person actually engaged in teaching who is the holder of a second-class provincial certificate and who has had five years' experience as a teacher may be appointed examiner.

Examiners'
fees.

(4) The board of trustees and the board of examiners may agree upon the sum to be paid annually for the entrance examination of pupils, but in the absence of any agreement, examiners shall be allowed the sum of one dollar per pupil for conducting such examination and this allowance shall include the travelling expenses of the examiners, presiding at the examination, reading and valuing the papers of candidates and reporting the results to the Education Department.

Expenses of
entrance
examination.

(5) The board of education or the trustees of the high school district within which the examination is held shall on the requisition of the chairman of the board of examiners pay all the expenses of the examination at such high school, and such expenses shall be deemed to be part of the cost of maintenance of such high school. The travelling and other expenses of the presiding examiners in respect of examinations held at other places shall be paid by the county council.

Rights of
pupils.

(6) County pupils shall have the right to attend any high school aided by the council of the county in which their parents or guardians reside. Resident pupils shall have the right to attend the high school of the district in which their parents or guardians reside. Non-resident pupils may attend any high school at the discretion of the trustees of such school. R.S.O. 1897, c. 293, s. 39.

HIGH SCHOOL TEACHERS.

Principals of
high schools.

42.—(1) No person shall be appointed principal of a high school unless he is a graduate in Arts of some University within the British Dominions, and furnishes satisfactory evidence to the Minister of Education of his knowledge of the science and art of teaching, and of the management and discipline of schools; but any person legally qualified and employed as principal in any high school before the twenty-fourth day of March, 1874, shall be deemed qualified notwithstanding this section.

(2) No person shall be appointed assistant teacher in any high school who does not possess the qualifications required by the Education Department. Assistant teachers.

(3) Every teacher of a high school shall, in the organization, discipline, management and classification of the pupils be subject to the regulations of the Education Department. Teachers.

(4) The provisions of *The Public Schools Act* respecting superannuation shall apply to teachers of high schools. Superannuation. R.S.O. 1897, c. 293, s. 40.

AGREEMENTS.

43.—(1) Any teacher of a high school who enters into an agreement with a board of trustees for one year and who serves under such agreement for three months or over, shall be entitled to be paid his salary in the proportion which the number of days during which he has taught bears to the whole number of teaching days in the year. Salary for teaching during part of the year.

(2) Every teacher shall be entitled to his salary during sickness, certified by a physician, for a period not exceeding four weeks for the entire year; this period may be increased at the pleasure of the trustees. Sickness.

(3) Any teacher who enters into an agreement with a board of trustees as teacher, and who wilfully neglects or refuses to carry out such agreement shall, on the complaint of any board of trustees, be liable to the suspension of his certificate by the Education Department. Neglect of duty.

(4) All matters of difference between trustees and teachers of high schools in regard to salary or other remuneration, whatever may be the amount in dispute, shall be decided in the Division Court of the division in which the cause of action arose; provided always that the decision of the court in such cases may be appealed from, as under *The Public Schools Act*. R.S.O. 1897, c. 293, s. 41. Disputes between teachers and trustees.

44. Where any teacher retires, having reached the age of 60 years or after serving for 20 years or longer, the board of trustees may grant him an annual allowance not exceeding the salary which he was receiving at the time of retirement, or may in lieu of such allowance make a grant to such teacher by way of gratuity of such sum as will represent the present value of an allowance aforesaid for his life, computed on the basis of interest at the rate of four per cent. per annum. Retiring allowance to teachers. 63 V. c. 54, s. 4.

TERMS.

45. The academic year of every high school shall consist of three terms; the first shall begin on the first day of September and end on the twenty-second day of December; the second term shall begin on the third day of January and end on the Thursday Duration of academic year.

Thursday before Easter Sunday; the third term shall begin on the second Monday after Easter Sunday, and end on the thirtieth day of June. Every Saturday, every public holiday and every day proclaimed a holiday by the council of the municipality in which the high school is situated shall be a holiday in such high school. R.S.O. 1897, c. 293, s. 41.

PENALTIES AND PROHIBITIONS.

Trustees
contracting
with board.

46. No high school trustee shall enter into any contract agreement, engagement or promise of any kind, either in his own name, or in the name of another, and either alone or jointly with another, in which he has any pecuniary interest, profit, or promised or expected benefit, with the corporation of which he is a member, or have any pecuniary claim upon or receive compensation from such corporation for any work, engagement, employment, or duty on behalf of such corporation, and every such contract, agreement, engagement or promise shall be null and void, and such trustee shall also *ipso facto* vacate his seat, and a majority of the other trustees shall declare the same vacant forthwith, and notify the clerk of the municipality, or board of trustees having authority to appoint such trustee accordingly. R.S.O. 1897, c. 293, s. 43.

Newspaper
proprietors
inserting
official adver-
tisements
not disquali-
fied from
sitting in
school
boards, etc.

47. No person shall be disqualified from being elected a member of any high school board, or from sitting and voting in such board by reason only of his being proprietor of or otherwise interested in a newspaper or other periodical publication in which from time to time official advertisements are inserted by the council or board which appear in other newspapers or publications in the municipality or school district, or which is subscribed for by the board or by any of the departments or offices of the school district, although such advertisements or subscriptions are paid for at the usual rate out of the moneys of the school board, but this shall not apply to any person who has entered into an agreement or contract with a school board, to do at a specified rate all or the greater part of the printing required by such board during the term of such agreement or contract, but such member of school board shall not be entitled to vote where his own account is in question. 62 V. (2) c. 11, s. 22.

When seat on
board may be
declared
vacant.

48. If a trustee of any high school is convicted of any indictable offence, or becomes insane, or absents himself from the meetings of the board for three consecutive months, without being authorized by resolution entered upon its minutes, or ceases to be a resident within the county or municipality for which he is a trustee, such trustee shall *ipso facto* vacate his seat, and the remaining trustees shall direct the secretary of the board to notify the clerk of the county or municipality or board of trustees having authority to appoint such trustee accordingly. R.S.O. 1897, c. 293, s. 44.

49. Any person who wilfully interrupts or disquiets any ^{Disturbing} high school established and conducted under the authority of ^{schools.} this Act, by rude or indecent behaviour, or by making a noise either within the place where such school is kept or held, or so near thereto as to disturb the order or exercises of the high school shall, for each offence, on conviction thereof before a Police Magistrate or Justice of the Peace, on the affidavit of one credible witness, forfeit and pay for high school purposes to the trustees of the high school district within which the offence was committed, such sum not exceeding \$20 together with the costs of conviction, as the said Police Magistrate or Justice may think fit. R.S.O. 1897, c. 293, s. 45.

AUTHORIZED BOOKS.

50.—(1) No teacher shall use or permit to be used as text-^{Text-books.} books in a high school any books except such books as are authorized by the Education Department, and no portion of the legislative or municipal grant shall be paid to any high school in which unauthorized books are used.

(2) Any authorized text-book in actual use in any high school may be changed by the teacher of such school for any other authorized text-book in the same subject on the written approval of the trustees, provided ^{Change of} ^{text-books.} always such change is made at the beginning of a school term, and at least six months after such approval has been given.

(3) In case any teacher or other person negligently or wilfully substitutes any unauthorized text-book in place of any authorized text-book in actual use upon the same subject in his school, he shall for each such offence, be liable on conviction before a Police Magistrate or Justice of the Peace, to a penalty not exceeding \$10, payable to the municipality for high school purposes, together with costs, as the Police Magistrate or Justice may think fit. R.S.O. 1897, c. 293, s. 46. ^{Teachers substituting} ^{unauthorized} ^{text-books.}

51. The following Acts and parts of Acts of the Province ^{Acts} ^{Repealed.} of Ontario are hereby repealed:—Revised Statutes of Ontario 1897, c. 293, 61 Victoria chapter 34, 62 Victoria (Second Session) chapter 11, section 22 and chapter 36, section 13 so far as the same relate to High Schools, 63 Victoria chapter 54.

CHAPTER 41.

An Act respecting the University of Toronto and University College.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :—

Short Title

1. This Act shall be known and may be cited as *The University Act, 1901*.

Interpre-
tation.

2. Where the words following occur in this Act they shall be construed in the manner hereinafter mentioned unless a contrary intention appears :

"University."

(a) "The University" shall mean the University of Toronto.

"Trustees."

(b) "The Trustees" shall mean the Trustees of the University of Toronto.

University
and College
continued.

3.—(1) The University of Toronto and University College, are and each of them is hereby continued and, subject to the provisions of this Act, shall have, hold, possess and enjoy all the rights, powers and privileges which they respectively now have, hold, possess or enjoy.

(2) If and when a proclamation to that effect shall be issued by the Lieutenant-Governor the name of the University shall be changed to and the University shall be known as "The University of Ontario" from and after a date to be named in the proclamation for the change taking effect.

(3) Such proclamation shall not be issued unless and until a statute of the Senate approving of the change shall have been passed by a vote of at least three-fourths of the members thereof present at a meeting called for the purpose of considering the question of making such change.

Lieutenant
Governor to be
visitor.

4. The Lieutenant-Governor shall be the visitor on behalf of the Crown of the University and of University College, and his visitorial powers may be exercised by commission, and the proceedings of any commission, having been first confirmed by Order-in-Council, shall be binding on the University and College, and their members and all other persons whomsoever.

R. S. O. 1897, c. 298, ss. 4, 70.

PART I.—PROPERTY AND INCOME.

5 —(1) The property and financial affairs and business of the University and University College shall be managed by a Board of Trustees consisting of the Chancellor, the Vice-Chancellor and the President of the University, the Principal of University College and five persons appointed by the Lieutenant-Governor in Council. *New.*

Board of trustees.

(2). The Board of Trustees shall be a body corporate under the name and style of the "Trustees of the University of Toronto" with power to hold lands subject to this Act for the purposes of the University and University College without license of mortmain. *New.*

Board of trustees incorporated.

6. All property and effects real and personal now vested in the Crown in trust for the purposes of the University and University College, and all other property and effects now owned by or held in trust for the University or University College, or either of them or to which the University or University College is entitled, and the property in the City of Toronto forming the block of land lying between King, Adelaide, Simcoe and John Streets, and being the former site of Upper Canada College, shall be, and they are hereby vested in the Trustees for the purposes of the University and University College subject to the provisions of this Act. *New.*

Property vested in Trustees.

(a) All property real and personal which is hereby vested in the Trustees or shall hereafter become vested in them shall for the purposes and within the meaning of *The Assessment Act* be deemed to be vested in the Trustees for the public uses of the Province, and notwithstanding the vesting of the said property and effects, real and personal, in the said body corporate, such property and effects shall remain exempt from taxation in the same manner and to the same extent as such property was heretofore exempt by virtue of being vested in the Crown for the purposes of the University and University College.

Exemption from taxation of property held by trustees.

(b) The estate or interest of any leasee or occupant or his assignee of any property in and about the Queen's Park or upon any of the avenues or approaches thereto, as defined by the Statute of Ontario, 52 Victoria, Chapter 53, and who became such lessee or occupant before the 23rd day of March, 1889, shall not be liable to assessment for any local improvements whatsoever, but nothing in this sub-section contained shall affect pending litigation.

Property held by lessees not liable for local improvements.

(c) No real estate or any interest therein so vested in the Trustees under this Act shall be liable to be expropriated.

Property not liable to expropriation.

expropriated by any municipality, corporation or person for any purpose whatsoever without the consent of the Trustees, nor shall any dedication heretofore made for any purpose by or for the Crown of any lands held for the purposes of the University or University College be construed to prejudice in any manner whatsoever the rights and privileges of such lands as Crown lands, but such rights and privileges shall remain in full force and effect.

Property
occupied by
officials etc.

(d) Any such real property, which is occupied by any professor or other instructor or officer or servant of the University or University College or by any association of undergraduates or by any person in connection with the University or University College for the purposes of *The Assessment Act* shall be deemed to be occupied by the persons aforesaid in an official capacity.

Permanent
fund.

(2) All such property and the purchase money of any part thereof which may be sold and the principal of all money invested shall be deemed permanent property and shall not except as hereinafter provided be diminished or expended but shall remain as a permanent fund for the support and maintenance of the University and University College and for the purposes of this Act. R. S. O, 1897, c. 299, ss. 1, 12, *amended*.

Future
property.

(3) All property real and personal which may hereafter be granted, devised or bequeathed to or for the University or University College shall be vested in the Trustees in trust for the purposes and support of the University and University College subject to the provisions of this Act and to the terms of the grant, devise or bequest. *New*.

Income Fund

(4) The income from the permanent fund, the rents, issues and profits and interest or dividends from all property real and personal of, or held for the benefit of the University and University College except property touching which it has been otherwise provided by the donor, together with all fees, which the Trustees are authorized to impose shall form an income fund which shall be at the disposal of the Trustees for the purpose of the University and University College and the Trustees may in their discretion from time to time use any surplus for creating a contingent fund or add such surplus to the permanent fund of the University and University College. R. S. O. 1897, c. 299, ss., 11 and 18, *amended*.

Sales of lands
set apart
under 60 V.
c. 59.

7.—(1) A separate account of the proceeds of sales of the lands set apart for the University under the provisions of chapter 59 of the Acts passed in the 60th year of the reign of Her late Majesty Queen Victoria shall continue to be kept by the proper officers and departments and yearly accounts thereof rendered to the University and all moneys derived from

from such sales shall be paid over to the Trustees free from all charges or deductions for management or otherwise and shall be applied and used as part of the income fund, in the last preceding subsection mentioned.

(2) The sum of \$7,000 annually paid by the Province to the University under the provisions of the Act mentioned in the last preceding subsection shall, notwithstanding the repeal of section 7 of the said Act by section 48 of this Act, continue to be paid to the Trustees and said sum shall form part of the Income fund.

8. The Trustees shall have the power of appointment and removal of the Bursar and his assistants and clerks and of all other officers and servants of the University and University College employed in or about the premises or grounds of the said University or University College, and shall have the control, management and government of the property, endowment funds, and all other assets, income and revenues of the said University and University College, and shall have power from time to time to make by-laws, rules and regulations not contrary to law or the provisions of this Act for the management of the said property, endowment funds and all other assets, income and revenues of the University and University College and of fixing the salaries of the President of the University, the Principal of University College and the professors and all other teachers in the University and University College and of the Librarian, Registrar, Bursar, officers and servants from time to time and also as to matters pertaining to the meetings, and transactions of the trustees and shall have power to fix the quorum necessary for meetings of the trustees and to act by such committees as they may deem proper to appoint from time to time. *New.*

General powers of board of trustees.

9. Without thereby limiting the general powers hereinbefore conferred, it is declared that the Trustees shall have the following powers:

Special powers of trustees.

(1) They shall have the management of all property of the University and University College.

Management of endowment.

(2) They may (subject always to the limitations of any trust as to the same) invest the endowment and permanent funds and all moneys which may come into their hands for the purposes of the University or University College, in any securities in which a trustee may by the law of this Province invest trust moneys. *New.*

Investments.

(3) They may sell any part of the lands vested in them or lease the same for any period of time not exceeding 42 years with right of further renewals and with the usual clauses appertaining to building leases and renewals; but this provision shall not extend, except as to lands now under lease, to any lands which the Lieutenant-Governor may declare to be required

Sales and Leases.

required for the accommodation of the University or University College or necessary to be retained for or in connection with the extension thereof.

(3a) They may lease any part of the said property as aforesaid under the said terms and conditions to or may set apart and appropriate for the use of any duly incorporated society of under-graduates and they may invest any portion of the said endowment and permanent funds or any moneys which shall or may come into their hands as aforesaid in a loan to any such incorporated society for the purpose of the erection on such land of any buildings of any such society. Such loan shall not be subject to the provisions of *The Trustee Investment Act* but may be made on such other terms and conditions as to the Trustees may seem fit.

Fixing fees.

(4) They shall fix the fees for post graduate instruction, for instruction in law and in medicine, the fees to be paid by regular and occasional students for enrolment in University College, and by occasional students for enrolment in the University, the library fees, the laboratory fees and the fees for examinations, degrees and certificates.

(5) When a federated college by arrangement with the University Council, teaches any part of the Arts course, the Trustees may make a reduction in the fees of students taught in such college so as equitably to adjust the same.

Improvements or additions to buildings.

(6) They may from time to time authorize such permanent improvements of and in the property and additions to the buildings of the University and University College including the erection and equipment of such new buildings as may be necessary and may direct the cost thereof to be paid out of the funds of the University and University College; provided, however, that every Order-in-Council approving of the by-law, rule or regulation authorizing such expenditure, shall as soon as conveniently may be after the making of the same be laid before the Legislative Assembly of the Province of Ontario for its ratification or rejection and no such by-law, rule or regulation shall be operative unless and until such Order-in-Council has been ratified by the Legislative Assembly. R.S.O. 1897, c. 299, s. 19.

Annual estimates.

(7) They shall require the proper officers of the University and University College on or before the first day of July in each year, to submit estimates of the probable sums of money required for defraying the cost of the management of the funds of the University and University College, for the payment of salaries, the maintenance of the University and University College, the expenses of the Senate, of the University in the faculties of arts, law and medicine, and of University College and all other necessary and proper expenditure, and the Trustees shall make the annual appropriations out of the income of the University and University College for the next ensuing financial year indicating when necessary the officer

officer or committee, as the case may be, to be entrusted with directing the expenditure of such appropriation. Where an appropriation has not been made on or before the first day of October in any year, the Lieutenant-Governor in Council may make the appropriation *New*.

10. The mortgages or other instruments respecting the investments of the University and University College shall be made to and taken in the name of the Trustees. *New*. Mortgages to University.

11. All conveyances, grants, leases or assignments of any lands, and all statutory or other discharges of mortgages or other securities now held in the name of the Bursar of the University, or now or hereafter held by or for the University or University College, shall be made by the trustees under their corporate name and shall be attested by the seal of the Trustees and the signatures of the Chairman or some person thereto authorized by the Trustees and of the Bursar. *New*. Execution of instruments.

12. The Trustees may make regulations respecting the retirement and superannuation of the President of the University, the Principal of University College and of any professor or other teacher in the University or University College and of the Librarian, Registrar, Bursar and any officer or servant of the University or University College, and any gratuity or superannuation allowance paid under this Act may be paid out of a fund to be provided for that purpose or out of the income as the Trustees shall direct. *New*. Superannuation.

13. Every by-law, rule or regulation of the Trustees made under the provisions of section 12 or providing for the annual appropriations or for the appointment or removal of the Bursar or any officer whom the Trustees are by this Act authorized to appoint or remove, or for fixing salaries under the powers conferred by section 8, or for fixing the fees under sub-section 4 of section 9, or for determining the classes of investments to be made by the Trustees, and every general by-law, rule or regulation for governing their proceedings, shall be submitted to the Lieutenant-Governor in Council for approval, and shall have no force or effect until such approval is signified in writing to the Trustees. Regulations of trustees to be submitted to Lieutenant-Governor-in-Council.

14. Any person may endow a chair or scholarship in any subject taught in the University or University College or may aid in the promotion of the interests of the University or University College in any way by providing an endowment for such purpose, subject to such conditions as such person, with the approval of the Lieutenant-Governor in Council may prescribe. R.S.O. 1897, c. 298, ss. 83, 84. Professorship may be founded by private parties, and how.

15. Instruction in arts in the University, (except post graduate instruction), shall be free to all regular students matricu- Arts instruction to be free to certain students.

lated in the University, who are enrolled in University College, or in a federated university, and who enter their names with the Registrar of the University, but this provision shall not include exemption from laboratory fees.

INSTRUCTION IN SCIENCE.

Assistance to
scientific de-
partments of
the Univer-
sity.

16. (1) For the purpose of encouraging the study of the mineral and other natural resources of the Province, and for supplying the demand for expert knowledge in engineering and manufactures, the Lieutenant-Governor may from year to year pay out of the consolidated revenue of the Province, the salaries of all professors, lecturers and other instructors in the departments of Chemistry, Physics, Mineralogy and Geology, and the cost of maintenance of said departments; such payments to be based upon the annual estimates of the Trustees as approved by the Lieutenant-Governor in Council. The first payment under this Act shall apply to the financial year of the University which closes on the 30th June, 1901. (*New.*)

Proviso.

(2) Provided always that from the annual estimates for the salaries in and maintenance of the department of mineralogy and geology the Trustees may deduct the sum of \$3,000, while that sum is payable by the Corporation of the City of Toronto for the endowment and maintenance of a chair in that department and the Lieutenant-Governor may from year to year pay out of the consolidated revenue of the Province to the trustees a like sum in lieu of the said \$3,000, and the same when paid shall form part of the Income Fund of the University and University College.

Lands
reserved for
scientific
department.

17. The Lieutenant-Governor may by Order in Council set apart that portion of the lands (or as much thereof as may be deemed necessary) on the north side of College Street in the City of Toronto now held in trust by the Crown for the purposes of the University and University College, known as lots 7, 8, 9 and 10 according to plan registered in the Registry Office for the said City of Toronto as D 18. Such lands shall be used as a site for buildings for the departments of Mineralogy and Geology in connection with the University, and for the extension of the School of Practical Science.

PART II. FEDERATION.

Existing
federations
confirmed.

18. Any University or College federated with the University or any other school or other institution affiliated with the University, or with a federated University, shall continue so federated or affiliated, subject to any statute of the Senate in that behalf, and to this Act. *New.*

Federated and
affiliated in-
stitutions.

19. The following institutions are declared to be federated with the University, namely:—Victoria University, Knox College, Wycliffe College, St. Michael's College. The following institutions

institutions are declared to be affiliated with the University, namely:—Trinity Medical School, Toronto School of Medicine, Albert College, Ontario Agricultural College, Royal College of Dental Surgeons, School of Practical Science, Toronto College of Music, Women's Medical College, Ontario College of Pharmacy, Toronto Conservatory of Music, Ontario Veterinary College. (*New.*)

20.—(1) Any university in the Province of Ontario which suspends its power to confer such degrees as it may be authorized to confer (excepting degrees in theology) shall be entitled to be represented on the Senate of the University as hereinafter provided, and shall during the term of the suspension of such power as aforesaid, be known as a federated university, with a right to all the privileges and franchises hereinafter mentioned.

Federated University must suspend its power to confer degrees

(2) When any university in Ontario has decided to suspend its power of conferring degrees as aforesaid, the proper officer thereof shall notify the Provincial Secretary to that effect, and on the receipt of such notice the Lieutenant-Governor in Council may, by proclamation in the *Ontario Gazette*, declare such university to be federated with the University, on and after such date as may be named in the proclamation, and thereupon the power to confer such degrees shall remain in abeyance until proclamation is made to the contrary effect in a similar way.

Proclamation of such suspension

(3) The power of Victoria University to confer degrees (excepting degrees in theology) heretofore suspended shall remain suspended and in abeyance subject to the provisions of the next succeeding subsection.

Degree conferring powers of Victoria University to remain suspended.

(4) Any federated university, before resuming the power of conferring degrees so suspended or held in abeyance shall, through its proper officer, notify the Provincial Secretary of its intention to do so, but such power shall not be exercised for three years after the date of such federation, nor until one year after notice is received as aforesaid, of which notice proclamation shall be made in the *Ontario Gazette*. R. S. O. 1897, c. 298, s. 6.

How to resume power to confer degrees.

(5) The graduates and undergraduates in arts, science and law of any federated university, and such graduates and undergraduates in medicine as have passed their examinations in the Province of Ontario shall, from and after the date of such federation, have and enjoy the same degrees, honours and status in the University as they previously held in the federated university, and shall be entitled, subject to the provisions of this Act, to all the rights and privileges pertaining to such degrees and status, so long as such federation continues. R. S. O. 1897, c. 298, s. 7.

Status of graduates, etc.

(6) A college affiliated with a federated university shall be deemed to be affiliated with the University, but such affiliated college shall not, nor shall any other college hereafter affiliated

Affiliated colleges generally

with the University, thereby acquire the right of representation on the Senate, unless so declared in a statute of the Senate in that behalf. R.S.O. 1897, c. 298, s. 8 (1).

Senate may remove from federation or affiliation.

(7) The Senate may by statute remove from federation or affiliation with the University any federated or affiliated college or school which affiliates with or becomes an integral part of any other university exercising university powers other than the power of conferring degrees in theology. R. S. O. 1897, c. 298, s. 8 (3).

PART III. ACADEMIC MANAGEMENT.

Academic Government of the university.

21. Subject to the provisions of this Act the academic government of the University shall remain with the Chancellor, Vice-Chancellor, and President of the University, the Principal of University College, the professors of the University, and the members of the Senate and of Convocation for the time being, and all existing appointments, statutes and regulations affecting the University, shall continue, subject to this Act. R. S. O. 1897, c. 298, s. 2 (2), 3 amended.

Lieutenant-Governor to appoint professors, etc.

22. The President of the University, the Principal of University College, the deans of the faculties of arts, law, medicine and applied science and engineering, the Librarian, the Registrar and all professors, and other instructors in the several faculties of the University and University College, shall be appointed by the Lieutenant-Governor and shall hold office during pleasure. R.S.O. 1897, c. 298, s. 5 (2), 77.

No religious tests, etc., to be required.

23.—(1) No religious test shall be required of any professor, lecturer, teacher, student, officer or servant of the University or University College, nor shall religious observances, according to the forms of any particular religious denomination, be imposed on them or any of them; but the Council of University College may make regulations touching the moral conduct of the students and their attendance on public worship in their respective churches or other places of religious worship, and respecting their religious instruction by their respective ministers, according to their respective forms of religious faith, and every facility shall be afforded for such purposes; provided always that attendance on such form of religious observance be not compulsory on any student attending the University or University College. R.S.O. 1897, c. 298, s. 82.

(2) Nothing herein contained shall be considered as interfering with the rights of any federated university or federated college to make such provision in regard to religious instruction and religious worship for its own students as it may deem proper, and to require the same as a part of its own college discipline.

Subjects of instruction in University.

24.—(1) The course of instruction in the faculty of arts shall be apportioned between the University and University College as follows:—(1) In the University instruction shall be given in Mathematics,

Mathematics, Physics, Astronomy, Geology, Mineralogy Chemistry, Biology, Physiology, History, Ethnology, Comparative Philology, Italian and Spanish, History of Philosophy, Psychology, Logic, Metaphysics, Education, Political Science, including Political Economy, Jurisprudence and Constitutional Law, and Constitutional History, and in such other subjects as the Senate may by statute from time to time determine. Instruction shall also be given in Law, Medicine and Applied Science and Engineering, which shall continue as separate faculties. R. S. O. 1897, c. 298, s. 5 (1) (5), *amended*.

(2) In University College instruction shall be given in Greek, Latin, Ancient History, English, French, German, Oriental Languages and Ethics, and in such other subjects (except Theology) as by regulation made in that behalf may be determined by the statute of the Senate. R.S.O. 1897, c. 298, s. 78, *amended*. Subjects of instruction in the College.

(3) The curriculum in Arts of the University shall include the subjects of Biblical Greek, Biblical Literature, Christian Ethics, Apologetics, the Evidences of Natural and Revealed Religion and Church History, but any provision for examination and instruction in the same shall be left to the voluntary action of the federated universities and colleges; and provision shall be made by a system of options to prevent such subjects being made compulsory upon any candidate for a degree. R.S.O. 1897, c. 298, s. 5 (3). Theological options.

(4) The subjects assigned by this Act to the University and University College respectively, shall not be transferred from one to the other, except with the unanimous consent of the Senate, expressed at a special meeting called for the consideration of such transfer, of which at least one month's notice shall be given nor until such consent has been concurred in by the Lieutenant-Governor in Council. R.S.O. 1897, c. 298, s. 88. Transfer of subjects assigned to the University and to the College.

25.—(1) All students proceeding to a degree in arts at the University except in cases specially provided for by statute of the Senate, shall be enrolled in University College, in a federated college or university, or in an affiliated college. R.S.O. 1897, c. 298, s. 80. Students to be enrolled.

(2) Attendance upon instruction provided in any federated university or college or affiliated college, school or institution, or in University College, shall be equivalent to attendance at the University as a condition of proceeding to a degree or for the purpose of competing for any University certificate of honour or scholarship therein. R.S.O. 1897, c. 298, s. 39 (4). Attendance.

(3) Every graduate's diploma or student's certificate of standing in addition to being signed by the proper university authorities in that behalf shall indicate the federated university, or college, or affiliated college in which such graduate or student was enrolled at the time of his graduation or examination Diploma to be signed.

ation and shall be signed by such professors, teachers and officers of the federated university or college, or affiliated college, as the governing body thereof may determine. R.S.O. 1897, c. 298, s. 39 (2).

Certificate
required.

(4) No student enrolled in any federated university or in any federated or affiliated college or in University College shall be allowed to present himself for any University examination, subsequent to matriculation, without producing a certificate, that he has complied with the requirements of such federated university or federated or affiliated college or university college, affecting his admission to such examination. R. S. O. 1897, c. 298, s. 39 (3).

THE SENATE.

Constitution
of Senate.

26. The Senate of the University shall be composed as follows :—

Ex-officio
members.

(1) The Minister of Education, the Chancellor, the President of the University, the Principal of University College, the president or other head of each federated University or federated College, the deans of the faculties of arts, law, medicine and applied science and engineering and all persons who at any time have held the office of Chancellor or Vice-Chancellor of the University, shall be *ex-officio* members of the Senate R. S. O., 1897, c. 298, s. 11 (1). (Amended.)

Appointed
members.

(2) Representatives to the senate shall be appointed in the following manner, that is to say :—(a) The professors and associate professors of the University in arts and law shall from among themselves appoint three members ; (b) the professors and associate professors of the University in medicine shall from among themselves appoint two members ; (c) every federated college may appoint two members ; (d) every federated university and University College may each appoint one member ; (e) the Law Society of Upper Canada may appoint one member ; (f) and the governing body of every affiliated college or school in this Province now entitled to appoint a representative may, subject to any statute of the Senate of the University in that behalf, appoint one member.

Elected
members.

(3) The graduates in arts of the University who, at the time of graduation, were enrolled in University College may elect twelve members : the graduates in arts and science of Victoria University and the graduates in arts of the University who, at the time of graduation, were enrolled in Victoria College may elect five members ; the graduates in law may elect two members ; the graduates in medicine may elect four members ; the graduates in applied science and engineering may elect one member. Persons holding certificates as high school principals or assistants who are actually engaged in teaching, may elect two members as hereinafter provided. R. S. O., 1897, c. 298, s. 11 (3), (4), (7). *Amended.*

Federating

(4) In the case of any University hereafter federated with

with the University, such federated university shall be entitled to be represented on the senate in the proportion of one representative for every one hundred graduates in arts. Any fraction of one hundred over one-half shall entitle the federated university to an additional representative, provided that the number of such representatives shall in no case exceed five.

university
to elect
proportionate
number of
representa-
tives.

(7) All appointments and elections of members to the Senate shall be for a period of three years and until their successors are appointed or elected. Should a vacancy arise from any cause in the case of an appointed member such vacancy shall be filled by the body possessing the power of appointment subject to this Act, and in the case of a vacancy of a member elected by the graduates or High School masters such vacancy shall be filled by the senate and the persons appointed or elected to fill such vacancy shall hold office for the remainder of the term. *New.*

Term of office.

Vacancies.

(8) The term of all appointed and elected members of the Senate in office when this Act takes effect shall continue until and inclusive of the first Thursday in November, 1901.

Expiry of
present term.

LIST OF VOTERS AT SENATE ELECTIONS.

27. For the purposes of all elections aforesaid at which graduates of any federated university are entitled to vote, the registrar of such university shall on or before the first day of June in each year in which an election of representatives by graduates of such university is to be held, furnish to the Registrar of the University for the purpose of enabling him to make out the election register, a list of the names of all graduates of such University who are entitled to vote, with their post office addresses as last known. R. S. O. 1897, c. 298, s. 14.

List of persons
entitled to
vote.

28.—(1) The Registrar of the University shall triennially, after commencement when degrees are conferred, in every year in which an election is to take place make an alphabetical list or register, to be called "The Election Register," of the names and known addresses of the members of convocation, who are entitled to vote as such members; and such register may be examined by any member of convocation at all reasonable times at the office of the said registrar. The persons only whose names appear on the election register shall be entitled to vote as members of convocation. R. S. O., 1897, c. 298, ss. 15, 13.

Election
register.

(2) The Registrar in preparing the election register hereinbefore mentioned shall make separate lists of the graduates in arts of the University enrolled in University College, and of the graduates of any federated university, including graduates of the University enrolled in a federated university, and shall also make separate lists of the graduates in medicine, of the graduates

graduates in law and of the graduates in applied science and engineering, and of all principals and assistants in high schools and collegiate institutes (the last mentioned list to be supplied by the Education Department) and such lists shall be the voters' lists for all elections to the Senate. R. S. O., 1897, c. 298, s. 11 (6) (Amended).

Graduates of federated universities to be as separate bodies.

(3) The graduates in arts of the University enrolled in University College, and the graduates in arts of any federated University, including the graduates of the University enrolled in any federated University, shall vote as separate bodies. Graduates in medicine of the University and of any federated University shall vote as one body, and a similar rule shall apply to graduates in law. R. S. O. 1897, c. 98, s. 11 (4) (5). (Amended).

Errors, how corrected.

(4) In case any person who considers himself entitled to be entered upon any of the said lists complains to the registrar in writing, of the omission of his name or of any error in the lists, or any of them, it shall be the duty of the Registrar forthwith to examine into the complaint and to rectify the error if any there be, subject at all times to an appeal to the Chancellor or Vice-Chancellor. R.S.O., 1897, c. 298, s. 15 (2). (Amended).

NOMINATION OF CHANCELLOR AND MEMBERS OF SENATE.

Nomination papers.

29.—(1) The Chancellor and such persons as are candidates for the Senate shall be nominated by nomination papers, signed by at least ten members of convocation, and such nomination papers shall be delivered at the office of the Registrar, on or before the first Wednesday in September in any year in which an election is held. R. S. O., 1897, c. 298, s. 16 (1).

Unanimous election.

(2) In case only one candidate is nominated within the time herein mentioned for receiving nomination papers for the office of Chancellor, or in case no more than the number of representatives which the graduates are entitled to elect are nominated as provided by this Act the Registrar shall report to the Senate the names on such nomination papers at its next meeting, and the persons so nominated shall be entitled to the offices for which they were respectively candidates. R. S. O. 1897, c. 298, s. 16 (2).

List of members of senate to be sent with list of voters.

(3) Where an election is necessary the registrar shall send by post, on or before the second Wednesday in September, the form of voting paper in the Schedule of this Act to all members of convocation and to all other persons whose names are entered upon any of the lists hereinbefore mentioned whose residences are known, together with the lists of all candidates nominated by ten members, and also a list of the retiring members, and the voting for members of the Senate shall be limited to the persons who have been so nominated. R. S. O. 1897, c. 298, s. 16 (3).

MODE OF ELECTION TO THE SENATE.

30.—(1) The votes at an election for Chancellor and for members of the senate respectively, shall be given by closed voting papers, and such voting paper shall be delivered to the Registrar of the University, at his office between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, on any day between the second Wednesday of September and the first Wednesday of October (both days inclusive) in each year in which an election is held; and any voting papers received by the Registrar by post during the time aforesaid, shall be deemed as delivered to him for the purpose of the election. How votes are to be given.
R. S. O. 1897, c. 298, s. 17.

(2) The voting papers shall, upon the Thursday after the first Wednesday of October, be opened by the Registrar of the University, with such assistants as may be necessary in the presence of the scrutineers, to be appointed as hereinafter mentioned, who shall examine and count the votes, and keep a record thereof in a proper book to be provided by the Senate. Any person entitled to vote at the election may be present at the opening of the voting papers. No voting paper shall be counted which has not been furnished by the Registrar. Opening voting papers.
R. S. O. 1897, c. 230, ss. 18, 21.

(3) The Senate of the University or, in default, the Chancellor, shall, at least two weeks previous to the election, appoint two persons who, with the Vice-Chancellor, shall act as scrutineers at the next ensuing elections; and the Senate or, in default, the Chancellor, shall appoint a member of the senate, who shall act for and as the Vice-Chancellor, should he be absent from the election. Appointment of scrutineers.
R.S.O. 1897, c. 298, s. 24.

(4) In the event of any elector placing more than one name on his voting paper for Chancellor, or more than the required number on his voting paper for members of the Senate, the first name only shall be taken for Chancellor, and the first names only, not exceeding the required number, shall be taken for the members of the Senate. Informal voting papers.
R.S.O. 1897, c. 298, s. 25.

(5) Upon the completion of the counting of the votes and of the scrutiny, the Vice-Chancellor, or other person acting as and for him, shall declare elected as Chancellor and members of the Senate respectively the candidates who had a majority of the votes cast, and shall, as soon as conveniently may be, report the same in writing signed by himself and by the scrutineers, to the Senate and to the Secretary of the Province. Declaration of result of election.
R.S.O. 1897, c. 298, s. 19, 20, 23.

(6) In case of an equality of votes between two or more persons, which leaves the election of the Chancellor, or of one or more members of the Senate, undecided, then the scrutineers shall forthwith put into a ballot box a number of papers with the names of the candidates respectively having such equality of votes written thereon, one for each candidate, and the Registrar

Registrar of the University, shall draw from the ballot-box, in the presence of the scrutineers, one of the papers in the case of the election of Chancellor, and one or more of the papers in the case of the election of members of the Senate, sufficient to make up the required number, and the persons whose names are upon the papers so drawn shall be respectively the Chancellor and the members of the Senate. R.S.O. 1897, c. 298, s. 22.

Vacancy in the office of chancellor, how filled.

(7) In case of a vacancy in the office of Chancellor, before the expiration of his term of office, then, at a special election to be held for that purpose (of which notice shall be given in such manner as may be provided by statute of the Senate), the members of convocation shall elect a Chancellor for the remainder of the term, provided always that if the vacancy occurs in the last year of the term the Senate shall elect a Chancellor for the remainder thereof at a special meeting called for that purpose. R. S. O. 1897, c. 298, s. 9 (3).

Vacancies in senate, how filled.

(8) In case a vacancy in the Senate shall occur by death, resignation, removal from the Province or from any other cause of any member of the Senate elected by convocation before the expiry of his term of office, the Senate shall thereupon appoint, from amongst the members of convocation, another member of the Senate for the remainder of the term. R. S. O. 1897, c. 298, s. 27.

Chancellor or vice-chancellor to preside.

31. The Chancellor shall have the right to preside at all meetings of the Senate, but in the event of his waiving his right to preside, the Vice-Chancellor shall preside. In the absence of both the Senate shall appoint a chairman. Nine members shall form a quorum. R.S.O. 1897, c. 298, ss. 33, 34.

Quorum.

Election of vice-chancellor.

32.—(1) The Senate shall, at its first regular meeting after the ordinary triennial elections, elect from among its members a Vice-Chancellor who shall hold office for three years and until his successor is appointed. R. S. O. 1897, c. 298, s. 10.

Vacancies to be filled up by the senate.

(2) In case of a vacancy in the office of Vice-Chancellor, before the expiration of his term of office, the Senate shall, at a meeting to be held for that purpose as soon as conveniently may be, elect a Vice-Chancellor for the remainder of the term. R. S. O. 1897, c. 298, s. 10 (3).

POWERS OF THE SENATE.

Powers of Senate.

33. The Senate shall have power to make statutes—

(1) For carrying out the academic work of the University and University College, including the courses of study, the publication of the calendars of the University and University College, the conduct of examinations, the granting of degrees and certificates of proficiency, the establishing and awarding exhibitions, scholarships and prizes, the regulation of its proceedings, the fixing the duties of the Librarian and

and Registrar, and other officers subject to the control of the Senate, and, in general, for promoting the interests of the University and University College or for any purpose for which provision may be required for carrying out this Act. *New.*

(2) For the affiliation of any college, school or other institution established in this Province for the promotion of science or art, or for instruction in law, medicine, engineering, agriculture, or other useful branch of learning, and for the dissolution of such affiliation or the modification or alteration of the terms thereof. R.S.O. 1897, c. 298, s. 53 (1), (2), *amended.* Affiliation.

34. A certified copy of every statute providing for the course of studies, for the affiliation of any college, school or other institution, or for providing for theological options shall be transmitted to the Minister of Education within ten days after the passing thereof, to be laid before the Lieutenant-Governor in Council for his approval; and no statute shall have force or effect until such approval has been signified through the Minister of Education. R. S. O. 1897, c. 298, s. 42. Statutes to be subject to approval of visitor.

35. The Senate of its own motion may, or when required by the Lieutenant-Governor, shall enquire into the conduct, teaching and efficiency of any professor or instructor in the University or University College or into the general condition and progress of the University or University College, and shall report to the Lieutenant-Governor the result of its enquiry, with such recommendations as may be deemed expedient. R. S. O. 1897, c. 298, s. 46. Senate to report to the Lieutenant-Governor.

CONVOCATION.

36. Convocation shall consist of the graduates of the University of Toronto and of all federated Universities, and every graduate shall be a member of convocation. An *ad eundem* degree shall not, without the consent of convocation, entitle the holder thereof to become a member of convocation. R. S. O. 1897, c. 298, ss. 12, 37. Convocation of whom to consist.

37. Convocation shall have power:

(1) To elect a chairman, who will hold office for three years, or until his successor is appointed. The members of convocation may elect any person to preside *pro tem* in the absence of the chairman. R. S. O. c. 298, ss. 60 (1), 64, 65. Powers of convocation.

(2) To consider all questions affecting the well-being and prosperity of the University, and to make representations from time to time on such questions to the Senate of the University, who shall consider the same and return to convocation their conclusions thereon. R. S. O. c. 298, s. 60 (2).

(3) To determine the mode of conducting and registering the proceedings of convocation; to appoint and remove the clerk of convocation, and prescribe his duties; and require a fee to be paid by members of convocation as a condition of being placed on the register of members. R. S. O. c. 298, s. 60 (5) 6) (7).

(4) Convocation shall meet at such times and places as may be ordered by the senate, or by the executive committee of convocation, and it shall be the duty of the trustees to provide a place for its meetings. Notice of all meetings shall be given in such manner as the Senate, or executive committee may determine. The proceedings of any meeting of convocation shall be transmitted to the Senate at the next following meeting of the Senate. R. S. O. c. 298, s. 60 (8), 63.

Questions
before convo-
cation how
decided.

Quorum.

(5) All questions which come before convocation shall be decided by a majority of the members present, in such manner as may be provided by any resolution or by-law of convocation. The chairman shall have one vote, and in case of equality of votes, a second or casting vote. No question shall be decided at any meeting of convocation, unless thirty members at least are present. R. S. O. 1897, c. 298, ss. 66, 67. (*Amended*).

Extraordinary
meetings of
convocation.

(6) If twenty-five or more members of convocation shall by writing under their hands, require the chairman for the time being of convocation to convene an extraordinary meeting of convocation, and such requisition shall express the object of the meeting required to be called, the chairman shall within a reasonable time, convene such meeting of convocation. No matter shall be discussed at any such extraordinary meeting, except the matter or matters, for the discussion whereof it was convened. R. S. O. 1897, c. 298, ss. 61, 62

What may be
discussed.

UNIVERSITY COUNCIL.

University
Council, how
composed.

38.—(1) For the purposes hereinafter mentioned, there shall be established a Council composed of the President of the University who shall be chairman thereof, the senior professor in each department of the several faculties of the University, the Principal of University College, the principal of each federated university or federated college, and the Librarian of the University. (*New.*)

(2) The Council shall have power to regulate their own mode of procedure at meetings, to deal with all matters affecting the discipline of students in attendance at the University, including the imposition of reasonable fines, to control all associations of students in the University and to decide finally what are University Associations; to determine, after conference with the authorities of affiliated institutions, the time-tables, lectures and laboratory work of the University; to grant dispensation from the lectures and laboratory work of the University and Colleges upon the report of the professors in the faculties concerned; to authorize such lecturing or teaching in the
University

University by others than the duly appointed professors and teachers as they may deem expedient, and to prevent all lecturing or teaching not so authorized and to make rules for governing their proceedings. The Registrar of the University shall be Registrar of the Council. (*New.*) Powers of Council.

POWERS OF PRESIDENT.

39. It shall be the duty of the president to make arrangements with respect to University examinations for which no provision has been made by the Senate; to call from time to time of his own motion or on the request of at least five professors meetings of the professors and associate professors of one or more of the faculties of the University with a view to increasing the efficiency of the various departments of University work or other academic purposes and to arrange in conjunction with the heads of the different departments the appropriate duties of all assistant instructors; to exercise such supervision over the buildings, grounds and apparatus as will ensure their lawful use and protection; to suspend any curator, laboratory assistant or servant subject to the determination of the trustees; to exercise such general executive powers (not otherwise provided by this Act) as are necessary to the efficiency and good government of the teaching departments of the University and the advancement of their interests; and to report annually to the Lieutenant-Governor upon the progress and efficiency of the University, making such suggestions and recommendations as he may deem expedient. The Lieutenant-Governor in Council may appoint one of the Deans of Faculties to act for and perform the duties of Vice-President in the case of the latter's illness or absence; Powers of President.

UNIVERSITY COLLEGE COUNCIL.

40.—(1) For the purposes hereinafter mentioned there shall be established a Council of University College which shall be composed of the Principal and the professors and associate professors of the College. University College Council.

(2) Save as herein otherwise provided University College shall be under the direction and management of the Council. The principal or in his absence the senior member present shall preside at meetings of the Council. Five members of the Council shall be a quorum. The Council may make by-laws, rules and regulations for governing their own proceedings and for the direction and management of the College, and shall have full authority over and entire responsibility for the discipline (including the imposition of reasonable fines) of the undergraduates in relation to the lectures and other instruction of the professors, lecturers and other teachers of the College, and no lecturing or teaching of any kind shall be carried on in the College by any other than the duly appointed professors and teachers without the authority of the Council. *New.* Powers of.

POWERS OF PRINCIPAL OF UNIVERSITY COLLEGE.

Duties of
principal.

41.—(1) It shall be the duty of the Principal of University College to call meetings of the professors and associate professors of the college from time to time with the view of increasing the efficiency of the various departments of college work and to arrange in conjunction with the heads of the different departments the appropriate duties of all assistant instructors in the college and to exercise such supervision over the instruction given in the college as will promote efficiency and the good government of the college. He shall have power to exercise such discipline over the students, officers and servants of the college as may be requisite for order and efficiency. *New.*

Illness or
absence of
principal.

(2) In case of the illness or absence of the Principal the senior professor of University College may act for and perform the duties of the Principal.

THE QUEEN'S PARK.

Lease to City
of Toronto of
land for a
park.

42. Whereas the Bursar of the University was by section 66 of chapter 62 of the Consolidated Statutes for Upper Canada authorized to demise at a nominal rent, for a period of nine hundred and ninety-nine years, to the corporation of the City of Toronto, in trust for the purposes of a park, as well for the use of the professors, students and other members of the University, as of the public generally, and for no other purpose whatsoever, so much of the land then vested in Her late Majesty Queen Victoria now vested in the said board of trustees as aforesaid, situate within or adjacent to the limits of the said city, as the said Chancellor, Vice-Chancellor and members of the Senate of the University might by by-law approved of by the Governor-in-Council, set apart for such purposes not exceeding in the whole fifty acres, and upon such terms and conditions as had been or might after the said Act took effect, be agreed upon between the said University and the council of the said corporation; and whereas in pursuance of such powers, the said Bursar made such lease as aforesaid;—Therefore it is enacted that, so long as the said lease remains in force, the land so demised, shall be deemed to be and shall be taken to form a part of the said City of Toronto; and the residue of the lands so vested in Her late Majesty, but now vested in the said Board of Trustees as aforesaid, adjacent to the said park, shall be subject to all the police regulations of the said City of Toronto and to all by-laws of the said city in that behalf. R.S.O., 1897, c. 299, s. 21.

Land so leased
to be part of
the city and
residue of
University
lands adjacent
to be subject
to city's police
regulations
and by-laws.

TRINITY UNIVERSITY.

Federation of
Trinity Uni-
versity.

43. Should the Senate of Trinity University on or before the 1st day of January, 1904, notify in writing the Provincial Secretary that Trinity University has decided to federate
with

with the University, all sections of this Act relating to the federation of universities with the University shall apply to Trinity University, together with the following special provisions :

(1) The graduates in medicine and law of Trinity University shall vote for members of the Senate with the graduates of the University in medicine and law respectively;

(2) The undergraduates and graduates of Trinity University at the date of the proclamation hereinafter referred to, proceeding to their first or higher degrees shall be allowed to proceed to their degrees within six years under the regulations in force at Trinity University at the time of their matriculation;

(3) Lectures by instructors in the University may be delivered in Trinity University upon such terms and conditions as may be agreed upon between the Corporation of Trinity University and the Council of the University until new buildings are provided by Trinity University;

(4) A site in or near the Queen's Park on the lands hereby vested in the trustees shall be reserved for new buildings for Trinity University as may be agreed upon between the Trustees and the Corporation of Trinity University. Such site shall be occupied by Trinity University free of ground rent and all other charges so long as Trinity University remains federated, but in the event of the withdrawal of Trinity University from federation then said site shall be paid for at a valuation to be determined by arbitrators, one to be appointed by the Trustees and one by the Corporation of Trinity University. In the case of disagreement a Judge of the High Court shall appoint a third arbitrator.

(5) Upon receiving the notification aforesaid the Lieutenant-Governor may issue his Proclamation declaring Trinity University to be federated with the University and thereupon this Act shall be deemed to apply to Trinity University as a university federated with the University.

Proclamation
by Lieutenant-
Governor

44. The Trustees may agree with Trinity University that in addition to or in lieu of the foregoing special provisions or any of them any other special provisions shall be applicable to Trinity University.

Agreement
with Trinity
University.

45. Trinity University is hereby empowered to enter into any agreement which it may deem expedient to make with the Trustees for the purpose of effecting its federation with the University under this Act.

Power to
enter into
agreement.

46. Any agreement made by the Trustees under the provisions of section 44 shall not have any effect unless it is assented to.

Assent re-
quired to
agreement.
ed

ed to by the senate of the University and approved by the Lieutenant-Governor.

Proclamation
giving effect
to agreement.

47. In case any such agreement shall be made and assented to by the Senate of the University, the Lieutenant-Governor may issue his proclamation setting forth the terms of the agreement and declaring Trinity University to be federated with the University and thereupon this Act as varied by the agreement shall be deemed to apply to Trinity University as a university federated with the University of Toronto.

Rev. Stats.
c.c. 298, 299,
60 V. c. 59, ss.
4, 7, repealed.

48. Chapters 298 and 299 of the Revised Statutes of Ontario, 1897, and sections 4 and 7 of chapter 59 of the Acts passed in the 60th year of the reign of Her late Majesty Queen Victoria are hereby repealed.

SCHEDULE.

(Section 29 (3).)

FORM OF VOTING PAPER.

University of Toronto,

Election,

19 .

I
county of

resident at
do hereby declare :

in the

- (1) That the signature affixed hereunto is my proper handwriting.
- (2) That I vote for the following person (or persons) as chancellor or as members of the Senate (*as the case may be*) of the University of Toronto, viz., _____ of _____ in the county of _____ etc., etc.,
- (3) That I have not in this election signed any other voting paper as a graduate of the Faculty of Arts (*or Medicine, or Law, or as Headmaster or Assistant of a High School, as the case may be*).
- (4) That this voting paper was executed on the day of the date hereof.
- (5) That I vote in my right as graduate of _____ University, or Headmaster, or Assistant master of a High School (*as the case may be*).

Witness my hand this

day of

, A.D. 19 .

R.S.O., 1897, c. 298, *Sched.*

CHAPTER 42.

An Act respecting Upper Canada College.

Assented to 15th April, 1901.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Section 4 of *The Upper Canada College Act, 1900*, is hereby amended by adding to said section 4 the following subsections :—

(6) All property real and personal which is vested hereby in the College or shall hereafter become vested in the College shall for the purposes and within the meaning of *The Assessment Act* be deemed to be vested in the College in trust for the public uses of the Province and notwithstanding the vesting of the said property and effects real and personal in the said College such property and effects shall remain exempt from taxation in the same manner and to the same extent as such property was heretofore exempt by virtue of being vested in the Crown for the purposes of Upper Canada College.

Exemption from taxation of property held by College.

(7) Such exemption shall also apply to all property real and personal which may hereafter be acquired by or be granted, levied or bequeathed to or for the College for the purposes and support of the College.

Extent of exemption.

(8) And such exemption shall also apply to any property or effects real and personal as aforesaid when such property or effects real or personal as aforesaid are occupied or used by the principal or any master or other instructor of the College or by any person bona fide in connection with the College.

Property used by officers of College.

(9) No real estate or any interest therein so vested in the College shall be liable to be expropriated by any municipality, corporation or person for any purpose whatsoever without the consent of the College.

Property not liable to expropriation.

CHAPTER 43.

An Act to amend The Industrial Schools Act.

Assented to 15th April, 1901.

Rev. Stat.
c. 304
amended.

1. *The Industrial Schools Act* is amended by inserting after section 27 thereof the following section:—

Compelling
parents, etc.,
to recoup
municipalities
for main-
tenance.

27*a*. Where any municipal corporation has been ordered to pay any sum towards the maintenance of a child in an industrial school, the Judge of the Division Court of the Division in which the parent, step parent or guardian of the child resides, may, if he thinks fit, on complaint of such corporation and on summons to the parent, step parent or guardian as provided in the last preceding section make an order for the payment by such parent, step-parent or guardian to the municipal corporation of the whole or any part of such sums as the said corporation has been ordered to pay or may be or become liable to pay towards the maintenance of such child, and such an order may likewise be made upon summons to the parent, step parent or guardian either at the time of commitment or afterwards, by the judge or magistrate committing such child to the industrial school, and any such order shall for all purposes be a judgment of the Division Court of the Division in which such parent, step parent or guardian resides.

CHAPTER 44.

An Act to amend the Act respecting the School of Mining and Agriculture at Kingston.

Assented to 15th April, 1901.

WHEREAS the School of Mining and Agriculture, a cor- Preamble.
 poration duly incorporated under *The Act respecting* Rev. Stat. c.
Benevolent, Provident and other Societies and under the Act 221.
 respecting the said school passed in the 56th year of the reign
 of Her late Majesty Queen Victoria, chaptered 115, has estab- 56 V. c. 115.
 lished at the City of Kingston a School of Mining and also a
 Dairy School for the purpose of giving instruction in those
 subjects as set forth in their Act of Incorporation; and whereas
 great and substantial benefits have resulted to the City of
 Kingston and the County of Frontenac and to the Eastern
 part of the Province from the establishment of the said
 schools; and whereas with the view of increasing its efficiency
 and extending its usefulness the said corporation desires
 to obtain certain additional powers in regard to the sub-
 jects to be taught by the schools of the said corporation and
 in regard to receiving aid from municipalities; and whereas
 it is desirable to make further provision in regard to the sub-
 scription and transfer of stock of the said corporation and the
 privileges attached thereto,

Therefore His Majesty, by and with the consent of the
 Legislative Assembly of the Province of Ontario, enacts as
 follows:

1. The said corporation is hereby authorized and empow- School author-
 ered to establish and maintain classes for the training and ized to teach
 education of students in electrical science, optics, forestry, certain
 and all branches of biological, geological and physical science. sciences.

2. Two or more townships in any county or union of Aid from
 counties may jointly aid the said corporation by granting Townships.
 money or debentures by way of bonus or gift under and sub-
 ject to the following provisions:

(a) Such aid shall not be given until after the passing
 by the county municipality, of a by-law for the purpose, and
 the adoption thereof by the qualified ratepayers of each of
 such township municipalities respectively, in the manner pro-
 vided for by section 338 and the following sections of *The* Rev. Stat.
Municipal Act. c. 223.

(b) Before a by-law is submitted under this section to the
 vote of the ratepayers of such townships, a petition from the
 14 s. municipal

municipal council of each of such township municipalities shall be presented to the county council, expressing the desire to aid the corporation and stating in what way and for what amount; and the county council shall at the next regular meeting after the receipt of such petition by the clerk of the county, or at a meeting specially called for the purpose, introduce a by-law to the effect petitioned for and submit the same to the approval of the qualified ratepayers of the township petitioning therefor.

(c) The by-law shall provide for raising the amount petitioned for by the issue of debentures of the county or union of counties and for assessing and levying on all rateable property in the townships petitioning for such by-law, an annual special rate sufficient to include a sinking fund for the repayment of the said debentures within twenty years with interest thereon, payable half-yearly or yearly, which debentures the county councils, wardens, and other officers thereof are hereby authorized to execute and issue in such cases and to deliver the same or the money to be raised thereby as may be expressed in the said by-law.

(d) A by-law which is duly carried by the vote of the qualified ratepayers of the township petitioning therefor, shall be passed by the county council at the next regular meeting thereof after the submission of the said by-law to the ratepayers as aforesaid, or at a special meeting called for the purpose.

Stock to be personal estate.

3. The shares of the stock of the said corporation shall be deemed personal estate and shall be transferable on the books of the corporation in such manner as the by-laws of the corporation may from time to time prescribe.

Transfer of stock.

4. The governors of the said corporation may refuse to allow the entry in any such book of any transfer of shares of stock whereon any payments are overdue or in default until such payments shall have been fully paid up.

Enforcing payment of calls.

5. The corporation may enforce payment of calls on stock and interest thereon, by action in any court of competent jurisdiction.

Representation of estate at meetings.

6. Every executor, administrator, guardian or trustee shall represent the stock in his hands at all meetings of the corporation and may vote accordingly as a shareholder.

Joint shareholders.

7. If stock be held jointly by two or more persons, any one of them present at a meeting may, in the absence of the other or others, vote thereon, but if more than one joint stock holder be present or be represented by proxy, they shall vote together on the stock jointly held.

8. At all general meetings of the corporation, every shareholder shall be entitled to as many votes as he holds shares in the stock of the corporation and may vote by proxy. Voting at meetings.

9. The visitorial powers of the Lieutenant-Governor may be exercised by commission under the Great Seal and the proceedings of any commission having been first confirmed by the Lieutenant-Governor shall be binding on the said school and on all persons whomsoever. Visitorial powers.

10. All the property and effects, real and personal, of what nature and kind soever now vested in the said corporation or hereafter given, devised or bequeathed to or otherwise acquired by the said corporation shall hereafter be deemed to be and shall be so vested in the said corporation for the purposes and objects set forth in the said Act respecting the said school passed in the 56th year of the reign of Her late Majesty Queen Victoria and in this Act and not otherwise, and the administration thereof by the Board of Governors shall in all respects be subject to the visitorial powers of the Lieutenant-Governor as hereinbefore provided. Property vested in corporation.

11. For the purpose of aiding the said corporation in the erection of suitable buildings for the accommodation of the said school and the better carrying on of its work there shall be granted out of the Consolidated Revenue Fund of the Province to the said corporation the sum of \$22,500 per annum for five years, payable in equal one-half yearly payments. Grant in aid of buildings.

12. The said corporation shall have the power to borrow money by way of loan or otherwise for the purpose of carrying on its work and may hypothecate, mortgage or pledge all or any of the real or personal property of the corporation to secure any such loans or any indebtedness or money so borrowed for the purposes of the corporation. Borrowing powers of corporation.

13. In the event of the buildings or property, to which the money appropriated as in the preceding section mentioned has been applied, passing from under the control of the trustees of said corporation, or in the event of the buildings being applied to any other purpose than the uses of said corporation as a School of Mining and Agriculture, then such buildings and the real estate appurtenant thereto shall revert to the Crown, subject to such uses thereafter as the Lieutenant-Governor in Council may direct. Buildings, etc., for which aid granted when to revert to Crown.

14. The plans and specifications for any buildings to be erected and to which any appropriation under this Act is applied shall be subject to the approval of the Commissioner of Public Works of this Province. Approval of plans.

CHAPTER 45.

An Act to consolidate the Floating Debt of the Village of Acton.

Assented to April 15th, 1901.

Preamble

WHEREAS the Municipal Corporation of the Village of Acton has by petition represented that the said corporation has incurred a floating debt of about \$4,000, the said debt having arisen mainly from the Electric Light Works installed by the said corporation having cost more than was estimated and provided for, and from the construction of permanent walks in the said village, and that no funds have been provided for the payment of the said debt; and whereas the said Corporation has represented that it is desirable to extend the payment of the said floating debt over a term of years; and whereas the said corporation has by the said petition prayed, among other things, to be authorized to issue debentures to an amount not exceeding in the whole \$4,000, and with the money thus obtained to pay off the present floating indebtedness; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Issue of
debentures for
\$4,000 author-
ized.

1. The Municipal Corporation of the Village of Acton may pass a by-law or by-laws providing for the issue of debentures, and in pursuance of the provisions of such by-law or by-laws may issue debentures under their corporate seal, signed by the reeve, and countersigned by the treasurer for the time being, in such sums, not less than \$100 each and not exceeding \$4,000 in the whole, as the said corporation may direct, and the principal sum secured by the said debentures, and the interest accruing thereon may be made payable at such place or places as the said corporation may deem expedient, and may be expressed in either sterling money of Great Britain or currency of Canada.

Power to
borrow on
debentures

2. The said corporation may raise by way of loan on the credit of the said debentures from any person or persons or body corporate in this Province, or in Great Britain, or elsewhere, a sum or sums sufficient to pay off the said floating indebtedness

indebtedness, not exceeding in the whole the sum of \$4,000, or may sell or dispose of the said debentures from time to time as may be deemed expedient, but all moneys realized from such loan, sale or disposition shall be applied by the said corporation in payment of the said floating indebtedness and in no other manner and for no other purpose whatsoever.

3. The said debentures shall be payable in not more than twenty years from the date thereof as the said corporation may direct, and such debentures may bear interest at any rate not exceeding four per cent. per annum. Such interest shall be secured by coupons attached to the said debentures and shall be payable yearly during the currency of the same.

Terms of
debentures—
interest.

4. A portion of the said debentures to be issued under this Act shall be made payable in each year for a period not exceeding twenty years, from the first day of January, 1901, so that the aggregate amount to be levied and payable for principal and interest in any one year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debenture debt is to be discharged.

Payment of
debt in annual
instalments,

5. It shall be the duty of the treasurer from time to time of the said village to keep, and it shall be the duty of each of the members, from time to time, of the said municipal council, to procure such treasurer to keep, and see that he does keep, a proper book of account setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable and the several amounts which shall from time to time be realized from the sale or negotiation of the said debentures, and the application which shall from time to time be made of the said amounts, and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said village, and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred.

Treasurer to
keep book
showing state
of debentures
account.

6. It shall not be necessary to obtain the assent of the electors of the said Village of Acton for the passing of any by-law which shall be passed under the provisions of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*, and any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be inconsistent with the provisions of this Act, shall not apply to the by-law or by-laws to be passed by the said corporation under the provisions of this Act.

Assent of
electors not
required.

Rev. Stat.
c. 223.

Informalities
not to invali-
date debentures.

7. No irregularity in the form of any debentures authorized by this Act to be issued, or any by-law or by-laws authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the Corporation for the recovery of the said debentures and interest or any or either of them or any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or issue of debentures or as to the application of the proceeds thereof.

By-laws not
to be repealed
until debt
paid.

8. No by-law to be passed under the provisions of this Act shall be repealed until the debt created by such by-law and the interest thereon shall be paid and satisfied.

Indebtedness
not dis-
charged.

9. Nothing in this Act contained shall be held or taken to discharge the Corporation of the Village of Acton from any indebtedness or liability which may not be included in the said debts of the said village.

CHAPTER 46.

An Act respecting the Town of Amherstburg.

Assented to 15th April, 1901.

Preamble.

WHEREAS, the Municipal Corporation of the Town of Amherstburg, in the County of Essex, has by petition represented that in the years 1896, 1897, 1898, 1899 and 1900, the said town constructed certain sewers and silex stone pavements as local improvements under the provisions of "*The Municipal Act*" and borrowed moneys by way of temporary loans and paid for the same; that the construction of the said sidewalks and the said sewers, with the exception of the sewer on a portion of Dalhousie Street, were all undertaken upon petition of the owners of the properties benefited thereby and the said sewer on Dalhousie Street was constructed on the recommendation of the Board of Health; that all parties interested in the construction of the said local improvements had due notice of all the proceedings, and a Court of Revision for hearing complaints was duly held and the proportion in which the cost of such improvements should be borne was duly settled pursuant to the provisions of the said Act; that on the 4th day of March, 1901, the said town passed a by-law, No. 176

A,

A, intituled "A By-law relating to the construction of certain Local Improvements and to authorize the issue of Debentures for the sum of \$28,200, to pay for the same," confirming the various proceedings relating to the construction of the said local improvements, and authorizing the issuing of debentures for the sum of \$28,200 to pay off the said temporary loans and imposing rates in the proportion settled as aforesaid upon the properties benefited by such improvements to pay their respective shares of such cost and upon the whole rateable property of the municipality to pay the municipality's share thereof, but that by reason of no such rates having been levied and collected in the years which have elapsed since the construction of the said works and the rates imposed extending for twenty years from the passing of the by-law, doubts have arisen as to the validity of such by-law and the debentures to be issued under the same, and it is doubtful if by reason of the matters above set forth the municipal council can now pass a by-law that will in all respects comply with the requirements of *The Municipal Act* and that any effort to do so would involve great trouble and expense, and the said municipal corporation has by the said petition prayed that an Act may be passed to legalize and confirm the said by-law which is contained in Schedule "A" hereto; and whereas, the said municipal corporation has by the said petition further represented that the collectors' roll of the said municipality for the year 1897 was duly made out and delivered to the collector, but by inadvertence and mistake the same was not certified by the clerk nor was any warrant to collect attached thereto as required by the statute in that behalf; that the greater part of the taxes included in the said roll have been collected, but that certain taxes included therein remain uncollected and that the municipality is unable to resort to the proper legal remedies to enforce payment of the same; that the said collector's roll has been duly audited and corrected by Frank H. Macpherson, a chartered accountant, pursuant to the order of His Honour, the Lieutenant-Governor in Council, and the said municipal council has by the said petition further prayed that an Act may be passed to legalize, ratify and confirm the said collector's roll for the year 1897, and to authorize the collection of the taxes therein mentioned; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said by-law of the Corporation of the Town of Amherstburg, being By-law No. 176 A., intituled "A by-law relating to the construction of certain Local Improvements and to authorize the issue of Debentures for the sum of \$28,200, to pay for the same," as set forth in Schedule A. to this Act, is confirmed and declared to be legal, valid and binding upon the said

By-law 176 A
confirmed.

said municipal corporation, and the ratepayers thereof notwithstanding any defect in substance or form in the said by-law, or in the manner of passing the same or otherwise, and notwithstanding any want of authority or jurisdiction of the said corporation or the municipal council thereof to pass the same.

Power to issue
debentures for
\$28,200.

2. The said Municipal Corporation of the Town of Amherstburg is hereby authorized and empowered to issue debentures as provided by the said by-law, and the debentures so issued and the interest coupons attached thereto shall be legal and binding upon the said corporation and the ratepayers thereof.

Collector's roll
confirmed.

3. The collector's roll of the said Municipal Corporation of the Town of Amherstburg for the year 1897 made and delivered to the collector as the same has been audited and corrected by the report made the 29th day of November, 1900, by Frank H. Macpherson, a chartered accountant, pursuant to an order of His Honour the Lieutenant-Governor in Council, bearing date the 24th day of February, 1900, is hereby declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof notwithstanding any defect in substance or in form in the said roll, and notwithstanding that the same was not certified by the clerk of the said municipality under his hand, pursuant to the provisions of the statute in that behalf. And the said municipal corporation and the officers, servants and agents thereof shall have full power, jurisdiction and authority to collect and enforce payment of the taxes mentioned in the said collector's roll by all the means, proceedings, and processes provided by law for the collection of taxes by municipal corporations, and may execute all warrants and other authorities necessary for the purposes of such proceedings.

SCHEDULE.

BY-LAW No. 176A.

A by-law relating to the construction of certain local improvements and to authorize the issue of debentures for the sum of \$28,200 to pay for the same.

Whereas, petitions have been presented to the council of this municipality asking for the construction of silex stone sidewalks upon those portions of the following streets particularly set forth in the schedule to this by-law, namely,—Dalhousie, Ramsay, Bathurst, Apsley, Rankin Avenue, Seymore, King, North, Sandwich, Gore, Murray and Park streets.

And whereas, petitions have been presented to the council of this municipality asking for the construction of sewers upon those parts of the following streets more particularly set forth in the schedule to this by-law, namely,—Park, Apsley, Simcoe, Seymore, King and George streets, and the council of this municipality deemed it expedient to grant the prayer of the said petitioners respectively, and to construct the said several sidewalks and sewers.

And

And whereas, upon the recommendation of the Board of Health, the council of this municipality have constructed a sewer on that part of Dalhousie street more particularly set forth in the said schedule.

And whereas, it has been ascertained and determined in accordance with the provisions of the statute in that behalf that the said petitioners in each case are two-thirds in number of the owners and represent one-half in value of the real property to be benefited by the said respective sidewalks and sewers, according to the last revised assessment roll of this municipality, and that the real property (including street intersections), comprised within the limits set forth and particularly described in the schedule annexed to this by-law, is the real property immediately benefited by the construction of the said sidewalks and sewers' respectively, and that all of the said real property comprised in each of the said petitions respectively is so benefited specially, and the proportion in which the assessment for the final cost thereof is to be made on the various portions of real estate so benefited, and the proportion to be defrayed out of the general funds of the municipality have also been ascertained in manner aforesaid, and are particularly set forth in the schedule annexed to this by-law.

And whereas, the council of this corporation has determined to bear and pay the cost of such part of the said sidewalks as is situate upon or in any street, lane, alley, public place or square which is intersected by any other street, lane, alley, public place or square, or as would otherwise fall on property exempt from assessment.

And whereas, the council of this corporation has not adopted the local improvement system in respect of sidewalks or pavements and has determined to bear and pay one-third of the cost of the construction of the said sidewalks in addition to the part of such cost to be provided by the municipality as aforesaid.

And whereas, the council of this corporation has determined to bear and pay in connection with the said sewer the cost of all culverts and other works necessary for street surface drainage, and also the cost of that part of the said sewer which is incurred at and is chargeable in respect of street intersections, and also that part thereof done or made opposite real property which is exempt from special local assessment.

And whereas, the said sidewalks and sewers have been constructed and the total cost of each sidewalk and sewer in each case appears in the schedule hereto annexed and the portion of the cost thereof to be paid by the ratepayers and to be assessed on the property benefited, and the portion of the cost thereof to be paid by the municipality, are in each case set forth in the said schedule.

And whereas, the total cost of all the said sidewalks and sewers is the sum of \$28,200.00 which is the amount of the debt intended to be created by this by-law, of which the sum of \$17,808.32 is to be paid by the ratepayers and is assessed upon the property benefited thereby as set forth in the said schedule, and the sum of \$10,391.76 being the municipality's share of the cost thereof as set forth in the said schedule is payable by the said municipality.

And whereas, the said sum of \$28,200 has been raised by way of temporary loans and the said several sidewalks and sewers paid for.

And whereas, it is desirable to consolidate the several amounts and issue the debentures in one consecutive issue.

And whereas, the value of the whole ratable property of the said municipality according to the last revised assessment roll is the sum of \$463,985.

And whereas, the amount of the existing debenture debt of the said municipality, exclusive of local improvement debts secured by special acts, rates or assessments, is the sum of \$58,133.14, and no part of either principal or interest is in arrears.

And

And whereas, the said sum of \$17,808.32, part of the debt to be created under this by-law, is created on the security of the special rates settled by this by-law and is further guaranteed by the municipality at large.

And whereas, the probable life of the said sidewalks is twenty years from the date hereof.

And whereas, it is desirable to make the principal of the said debt repayable by annual instalments during the period of twenty years next, after the day on which this by-law takes effect, such instalments of principal to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years.

And whereas, it will be necessary to raise annually in each year for the period of twenty years during the currency of the debentures to be issued under this by-law the sum of \$2,167.91 for paying the several instalments of principal and interest, such annual sum to be made up as follows:— For the purpose of paying the said sum of \$17,808.32 assessed on the said real property and the interest thereon it will be necessary to raise annually for the said term of twenty years the sum of \$1,369.03 and for the purpose of paying the said sum of \$10,391.76, payable by the said municipality and interest thereon, it will be necessary to raise annually the sum of \$798.88 for the said term of twenty years.

Therefore the municipal council of the corporation of the Town of Amherstburg enacts as follows :

1. That all the proceedings hereinbefore referred to are hereby adopted, confirmed and declared to be valid.

2. That for the purposes aforesaid it shall be lawful for this corporation to borrow on the security of the special rates hereby imposed and of the guarantee of the municipality the sum of twenty-eight thousand two hundred dollars, and for that purpose to issue debentures of the corporation of the town of Amherstburg for the sum of twenty-eight thousand two hundred dollars, in sums of not less than one hundred dollars each, which said debentures shall have coupons attached thereto for the payment of interest, and that the moneys so to be raised shall be applied and expended in paying off and discharging the temporary loans heretofore obtained for the construction of the said sidewalks and in no other way and for no other purpose.

3. The said debentures shall bear interest at the rate of four and one-half per cent. per annum, payable yearly, and as to both principal and interest may be payable in any place in Great Britain or this Province.

4. The mayor of the said municipality shall sign and issue the said debentures and coupons and cause the same to be signed by the treasurer of the said municipality, and the clerk of the said municipality is hereby authorized and instructed to attach the corporate seal of the said municipality to the said debentures.

5. The said debentures shall be payable in twenty annual instalments during the twenty years next after the date of the issue of the same, and the respective amounts of principal and interest payable during each of the said years shall be as follows:—

Year.	Principal.	Interest	Total.
1901.....	898 91	1,269 00	2,167 91
1902.....	939 36	1,228 55	2,167 91
1903.....	981 64	1,186 27	2,167 91
1904.....	1,025 81	1,142 10	2,167 91
1905.....	1,071 96	1,095 95	2,167 91
1906.....	1,120 21	1,047 70	2,167 91
1907.....	1,170 62	997 29	2,167 91
1908.....	1,223 29	944 62	2,167 91
1909.....	1,278 34	889 57	2,167 91
1910.....	1,335 87	832 04	2,167 91
1911.....	1,395 98	771 93	2,167 91
1912.....	1,458 80	709 11	2,167 91
1913.....	1,524 45	643 46	2,167 91
1914.....	1,593 05	574 86	2,167 91
1915.....	1,664 73	503 18	2,167 91
1916.....	1,739 65	428 26	2,167 91

1917.....	1,817 93	349 98	2,167 91
1918.....	1,899 74	268 17	2,167 91
1919.....	1,985 23	182 68	2,167 91
1920.....	2,074 43	93 48	2,167 91

\$28,200 00

6. That for the purpose of paying the said instalments of principal and interest as the same become due, respectively, during twenty years, the currency of the debentures to be issued under this by-law, the sum of \$2,167.91 shall be raised annually, as follows,—The sum of \$1,369.03 shall be raised annually for the payment of that part of the debt and interest assessed upon the real estate benefitted, and for that purpose the special rates per foot frontage set forth in the schedule hereto annexed, which is hereby declared to form part of this by-law, are hereby imposed on the real property of the ratepayers mentioned and described therein according to the frontage thereof over and above all other rates and taxes, which said special rates are sufficient to produce in each year the said sum of \$1,369.03 and shall be annually inserted in the collector's rolls of the said municipality and shall be payable to and collected by him in the same manner as other rates on the said rolls. And the further sum of \$798.88 shall be raised annually for the payment of that part of the said debt and interest to be paid by the municipality, which said sum shall be levied and raised annually by a special rate sufficient therefore over and above all other rates on all the rateable property of the said municipality at the same time and in the same manner as all other rates.

7. That the debt to be created on the security of the special rates settled by this by-law be and the same is hereby guaranteed by the municipality at large.

8. That the moneys to be borrowed as aforesaid shall be apportioned and each of the said works credited with its proper proportion thereof.

9. If at any time the owners of the said real property hereinbefore described, or any part thereof, shall desire to commute the assessment imposed by this by-law by the payment of his, her, or their proportionate share or shares of the cost thereof, as a principal sum in lieu thereof, he, she or they may so commute by the payment of such sum as would be sufficient if invested at interest at the rate of $4\frac{1}{2}$ per cent. per annum, compounded yearly during the term the said debentures will have to run to pay a proportionate share of the said instalments then remaining unpaid.

10. All moneys received in commutation of the said rates under the preceding section of this by-law shall be invested by the treasurer under resolution of this council from time to time as the law directs.

11. The debentures to be issued hereunder shall contain a provision in the following words,—“This debenture, or any interest thereon, shall not, after a certificate of ownership has been endorsed thereon by the treasurer of this municipal corporation, be transferable except by entry by the treasurer or his deputy in the debenture registry book of the said corporation.”

12. That during the period of twenty years, commencing from and after the first day of January, A. D. 1901, the said above described real property shall be exempt from all general rates or assessments for sidewalks, save and except the cost of similar works and improvements at the intersection of streets and except such portion of the general rate as may be imposed to meet the cost of like works and improvements opposite real property which is exempt from such special assessment.

13. That this by-law shall come into operation and take effect on the day of the final passing thereof.

Done and passed in open council this fourth day of March, A. D., 1901.

(Sgd.) OSCAR TEETER,
Mayor, Town of Amherstburg.



(Sgd.) J. H. C. LEGGATT,
Clerk, Town of Amherstburg.

SIDEWALKS.—Continued.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of lot.	Side of street.	Street.	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Am't assessable on lots, being of total cost.	Annuity for 20 years.	Annual rate per foot frontage.
S e pt 2 ..	West ..	Dalhousie ..	Jno. R. Park	70.6	5	352.6	12	\$ 42 30	\$ 4 69	\$ 46 99	\$ 31 33	c. 2 59	\$ 0.339
N e pt 2 ..	" ..	" ..	Henry Clay	90	5	450	12	54 00	5 99	59 99	40 00	3 13	0.339
S e pt 3 ..	" ..	" ..	Esias Fox	40	5	200	12	24 00	2 66	26 66	17 78	1 40	0.339
" A ..	" ..	" ..	Jones Estate	146	5	730	12	87 60	9 70	97 30	64 87	4 99	0.339
N pt 4 ..	" ..	" ..	" ..	45	5	225	12	27 00	2 99	29 99	20 00	1 54	0.339
S e pt 4 ..	" ..	" ..	J. A. Auld	78.6	5	392.6	12	47 10	5 30	52 40	34 93	2 84	0.339
S pt 5 ..	" ..	" ..	W. H. McEvoy	90	5	450	12	54 00	5 99	59 99	40 00	3 08	0.339
N pt 5 ..	" ..	" ..	C. J. L. McLeod	188	5	940	12	112 80	12 50	125 30	83 53	6 40	0.339
S pt 6 ..	" ..	" ..	Mrs. Margaret Menzies	110	5	550	12	66 00	7 32	73 32	48 88	3 75	0.339
N pt 6 ..	" ..	" ..	Wm. H. Elliott	102	5	510	12	61 20	6 79	67 99	45 33	3 47	0.339
7	East ..	Apsley	J. B. Fillion	61.6	5	307.6	12	36 90	4 09	40 99	27 33	2 10	0.339
13	" ..	" ..	Mrs. Susan Brown	61	5	305	12	36 60	4 05	40 65	27 10	2 07	0.339
12	" ..	" ..	Mrs. E. Hatchthaler	61	5	305	13	36 60	4 05	40 65	27 10	2 07	0.339
11	" ..	" ..	Cameron Estate	61.6	5	307.6	12	36 90	4 09	40 99	27 33	2 10	0.339
10	" ..	" ..	Mrs. Eliz. Burk	41.4	5	206.8	12	24 80	2 75	27 55	18 37	1 41	0.339
W pt 27 ..	West ..	Seymore	" ..	97	8	776	12	93 12	10 33	108 45	72 30	5 30	0.546
E pt 27 ..	" ..	" ..	Colin Wigley	66	4	264	12	31 68	3 51	35 19	23 46	1 80	0.273
W pt 10 ..	East ..	" ..	James Allen	66	4	264	12	31 68	3 51	35 19	23 46	1 80	0.273
E pt 29 ..	West ..	King	Wm. Borowman	30	4	120	12	14 40	1 60	16 00	10 67	81	0.273
W pt 29 ..	" ..	" ..	Eliz. Borowman	101	4	404	12	48 48	5 38	53 86	35 91	2 74	0.273
E pt 19 ..	" ..	Bathurst ..	Susan Everett	61.10	4	244	12	29 28	3 24	32 52	21 68	1 64	0.273
20	" ..	" ..	Mary A. Hamilton ..	60	4	240	12	28 80	3 18	31 98	21 32	1 65	0.273

21	"	"	"	"	Fred. D. Smith	4	40.6	162	12	19 44	2 15	21 59	14 39	1 10	0 27
22	West	"	"	"	Ann Johnson	4	82	228	12	39 36	4 36	43 72	29 15	2 25	0 27
23	"	"	"	"	Arch. Brown	4	60.10	243.4	12	29 20	3 24	32 44	21 63	1 64	0 27
"	"	"	"	"	Daniel Gerard	4	72.6	290	12	34 80	3 86	38 66	25 77	1 98	0 27
E pt 24	"	"	"	"	Daniel Gerard	4	91.6	366	12	43 92	4 87	48 79	32 53	2 43	0 27
1	Nor th..	Richmond	"	"	W. F. & J. A. Wilkison	4	266.6	1066	12	127 92	14 19	147 11	98 08	7 23	0 27
S pt 45	South	Rankin ave	"	"	J. R. Park	4	56.6	226	12	27 12	3 00	30 12	20 08	1 52	0 27
S pt 44	"	"	"	"	Wm. Borrowman	4	54.6	218	12	26 16	2 90	29 06	19 37	1 99	0 27
N p 44	"	"	"	"	Wm. Fox	4	88	352	12	42 24	4 70	46 94	31 29	2 40	0 27
N p 45	North	"	"	"	Wm. Robinson	4	90	360	12	43 20	4 79	47 99	31 96	2 46	0 27
S pt 30	"	"	"	"	Andrew Fisher	4	180 6	722	12	86 64	9 60	96 24	64 16	4 93	0 27
15	South	North	"	"	W. T. Hunt	5	90	450	11	49 50	5 49	54 99	36 66	2 82	0 31
32A	East	Sandwich	"	"	Thos. Hobbey	5	63	315	11	34 65	3 84	38 49	25 66	1 97	0 31
Pt A pt 32	"	"	"	"	Presbyterian Manse	5	64.6	322.6	11	35 48	3 93	39 41	26 27	2 02	0 31
" 32	"	"	"	"	Jno. W. Gibb	5	55 3	276	11	30 36	3 37	33 73	22 49	1 73	0 31
" 32	"	"	"	"	Rectory	5	123.6	617.6	11	67 93	7 53	75 46	50 31	3 87	0 31
" 32	"	"	"	"	Jas. McGuire	5	66	330	11	36 31	4 06	40 37	26 91	2 07	0 31
" 32	"	"	"	"	Jno. Bratt	5	59 6	297.6	11	32 73	3 66	36 39	24 26	1 87	0 31
" 32	"	"	"	"	Eliz. Lambert	5	118	590	11	64 91	7 20	72 10	48 07	3 70	0 31
"	"	"	"	"	Daniel Botsford	5	81	405	11	44 55	4 94	49 49	32 99	2 53	0 31
"	"	"	"	"	Jno. Graveline	5	86	430	11	47 30	5 24	52 54	35 03	2 69	0 31
Lot 3	"	"	"	"	Geo. Gott	5	165	825	11	90 75	10 06	100 81	67 21	5 18	0 31
Lots 4	"	"	"	"	Wm. H. Bush	5	330	1650	11	181 51	20 16	201 67	134 45	10 33	0 31
Pt 2	"	"	"	"	Paul Des Jardines	5	137	835	11	91 85	10 18	102 03	68 03	5 23	0 31
Lot 8,9	"	"	"	"	S. J. Pettypiece	5	84	420	11	46 21	5 12	51 33	34 22	2 63	0 31
Lot 10	"	"	"	"	Jno. Duncanson	5	80	400	11	44 01	4 88	48 89	32 59	2 50	0 31
" 12	"	"	"	"	Elizabeth Hamilton	5	85	425	11	46 75	5 18	51 93	34 62	2 66	0 31
" 13	"	"	"	"	Jno. Mero	5	41.6	207.6	11	22 82	2 53	25 35	16 90	1 29	0 31
S pt 15	"	"	"	"	Jas. Naul	5	43.6	217.6	11	23 93	2 65	26 58	17 72	1 36	0 31
pt 15	"	"	"	"	"	5	85	425	11	46 75	5 18	51 93	34 62	2 66	0 31
" 15	"	"	"	"	"	5	114.8	573.4	11	63 12	7 00	70 12	46 74	3 59	0 31
Lot 16	"	"	"	"	Ellen Christian	5	61	305	11	33 55	3 72	37 27	24 85	1 91	0 31
S pt 3, bk 3	"	"	"	"	Edward Maguire	5	61	305	11	33 55	3 72	37 27	24 84	1 91	0 31
S pt 3, bk 3	"	"	"	"	Jno. R. Park	5	60	300	11	33 00	3 65	36 65	24 43	1 88	0 31
Lot 17	"	"	"	"	Jno. R. Park	5	60	300	11	33 00	3 65	36 65	24 43	1 88	0 31

SIDEWALKS.—Continued.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of Lot.	Side of street.	Street	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Amount assessable on lots, being of total cost.	Annuity for 20 years.	Annual rate per foot frontage.
Pt C, pt 3,	East.....	Sandwich...	Jno. R. Park.....	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
B 3	"	"	Henry Campbell ..	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
"	"	"	Eli. Renaud	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
"	"	"	January Graveline..	60	5	300	11	33 00	3 65	36 65	24 43	1 88	.313
"	"	"	Ann Carney	60	5	300	11	33 00	3 65	36 65	24 44	1 89	.312
"	"	"	Geo. Bailey	60	5	300	11	33 00	3 65	36 65	24 44	1 89	.312
"	"	"	Jno. Westaway	161	5	805	11	88 55	9 82	98 37	65 58	5 04	.313
N w pt 3..	"	"	Albert Haines	144	5	720	11	79 20	8 78	87 98	58 66	4 51	.313
S pt 49...	"	"	A. Gatfield	82½	5	411½	11	45 24	5 02	50 26	33 50	2 57	.313
P pt 49..	"	"	Wm. Howe.....	63	5	315	11	34 65	3 84	38 49	25 66	1 97	.313
C pt 49 ..	"	"	Elihen Campeau	125	5	625	11	68 74	7 63	76 37	50 92	3 90	.313
C pt 49 ..	"	"	Patrick Navin	61	5	305	11	33 54	3 74	37 28	24 85	1 90	.313
C pt 49 ..	"	"	Norvell Estate	59	5	295	11	32 44	3 60	36 04	24 03	1 87	.313
C pt 49 ..	"	"	Henry West	68	5	340	11	37 40	4 14	41 54	27 69	2 13	.313
C pt 49 ..	"	"	Julia Pocock	70	5	350	11	38 50	4 26	42 76	28 50	2 19	.313
N w pt 49.	"	"	Mrs. Lucinda Brush ..	141	5	705	11	62 04	6 88	68 92	45 95	3 53	.2503
N pt 7....	South	Gore	J. D. Burk.....	54	4	564	11	23 76	2 63	26 39	17 60	1 35	.2503
E pt 28...	"	"	Elizabeth Burk	88	6½	60½	11	66 11	7 33	73 44	48 96	3 76	.2503
E pt 28 ..	"	"	Jas. Vigar	32½	5½	178	11	19 58	2 17	21 75	14 50	1 11	.3433
Lot 9	"	"	"	101½	4	407	11	49 73	4 96	54 69	33 15	2 55	.2503
3" 9	"	"	Parish Hall	131	4	524	11	57 64	6 39	64 03	42 69	3 28	.2503
90, 31	"	"	"	132	4	528	11	58 08	6 44	64 52	43 02	3 31	.2503
9, 10	"	"	Jno. B. Ribidoux..	132	4	528	11	58 08	6 44	64 52	43 02	3 31	.2503

SIDEWALKS.—Continued.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of lot.	Side of street.	Street.	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Amount assessable on lots, being 3% of total cost.	Annuity for 20 years.	Annual rate per foot frontage.
14.....	South ..	Park ..	Henry Marten	58.1	5 1	235.7	11	25 91	1 00	26 91	17 93	1 38	\$ 0.3785
13.....	" ..	" ..	Mrs. Alex. Pirie	58.4	5 1	233.3	11	25 66	99	26 65	17 77	1 37	0.3785
12.....	" ..	" ..	Eli Morin	61.3	5 1	245	11	26 93	1 05	27 98	18 64	1 45	0.3785
11.....	" ..	" ..	Alex. Bonnett	59.8 1/2	5 1	238.7	11	26 23	1 03	27 26	18 16	1 40	0.3785
10.....	" ..	" ..	Mrs. Jas. Caldwell	58.4	5 1	233.3	11	25 64	99	26 63	17 75	1 36	0.3785
9.....	" ..	" ..	Mrs. C. Grenier	58.3 1/2	5 1	233.2	11	25 64	99	26 63	17 75	1 36	0.3785
8.....	" ..	" ..	Fred. Maloney	58.3	5 1	233	11	25 64	99	26 63	17 75	1 36	0.3785
13.....	North ..	" ..	J. P. Duke	62.6	5 1	250	11	27 50	1 06	28 56	19 04	1 46	0.3785
12.....	" ..	" ..	Jno. R. Park	57	5 1	238	11	25 08	85	25 93	17 29	1 32	0.3785
11.....	" ..	" ..	Robt. Hamilton	59.7	5 1	238.3	11	26 20	1 02	27 22	18 15	1 39	0.3785
10.....	" ..	" ..	Rebt. Sawyer	58.10	4	235.4	11	25 90	99	26 89	17 92	1 38	0.3785
9.....	" ..	" ..	Wm. McGuire	58	4	232	11	25 52	99	26 51	17 67	1 37	0.3785
8 and 9 ..	East.....	Bathurst.....	" ..	98	4	392	11	43 12	1 68	44 80	29 86	2 29	0.3785
A43 Berczy	" ..	" ..	Jno. R. Menzies	58.11	4	235.7	11	25 92	1 00	26 92	17 95	1 38	0.2503
A44 Berczy	" ..	" ..	Jas. Wilderspin	58.11	4	235.7	11	25 92	1 00	26 92	17 95	1 38	0.2503
9.....	" ..	" ..	St. Andrew's Church	108.4	4	433.3	11	47 66	1 84	49 50	33 00	2 54	0.2503
1.....	" ..	" ..	Mrs. Hardie	86.2	4	344.6	11	37 90	1 47	39 37	26 25	2 02	0.2503
Supt 2 ..	" ..	" ..	Mrs. Lambert	31.4	4	125.3	11	13 76	54	13 40	9 53	73	0.2503
3.....	" ..	" ..	Capt Girardin	29.6	4	118	11	12 98	50	13 48	8 99	69	0.2503
5.....	" ..	" ..	Zedelia King	59.6	4	238	11	26 18	1 01	27 19	18 12	1 39	0.2503
13 and 14 ..	" ..	" ..	Capt. Trotter	61.4	4	245.3	11	26 98	1 06	28 04	18 69	1 43	0.2503
12.....	" ..	" ..	Mrs. Alexander	59.2	4	238.3	11	26 19	1 01	27 20	18 12	1 39	0.2503
	" ..	Ramsay	Echc Publishing Co.	121.11	4	487.6	11	53 64	2 09	55 73	37 15	2 86	0.2503
	" ..	" ..	Jno. Dineen	39.10	4	159.2	11	17 50	67	18 07	12 11	93	0.2503

11	"	"	Mrs. Jas. Turville..	20.2	4	80.6	11	8 87	34	9 21	6 14	47
11	"	"	"	61.6	5	353.6	11	38 89	1 52	40 41	26 94	2 08
10	"	"	Mrs. Ann Taylor ..	58.3	5	233	11	25 61	98	26 59	17 73	1 36
9	"	"	Miss Fanny Horsley	60.8	5	243.6	11	26 79	1 03	27 82	18 55	1 42
8	"	"	Mrs. Mang't Smith.	60.8	4	242.6	11	26 69	1 03	27 82	18 55	1 42
7	"	"	Felix Bertrand	59.9	4	239	11	26 29	1 02	27 31	18 21	1 40
6	"	"	M. A. Morin	59.2	4	236.6	11	26 02	1 00	27 02	18 01	1 38
5	"	"	Mrs. Mary Gerard..	92.10	4	371.6	11	40 88	1 68	42 56	28 37	2 18
4	"	"	Jas. Campeau	60	4	2 40	11	26 40	1 02	27 42	18 18	1 40
3	"	"	Mrs. Jane Salmon..	87.9	4	38 61	11	38 61	1 49	40 10	26 73	2 05
Pt 2	"	"	David Trotter	30	4	120	11	13 20	52	13 72	9 14	70
Pt 2	"	"	Miss Caroline Park.	83.5	4	333.6	11	36 69	1 42	38 11	25 40	1 95
2	"	"	Church property ..	58.10	4	235.3	11	25 88	1 00	26 88	17 98	1 38
Pt 3	"	"	Jno. Fraser	60.4	4	241.3	11	26 54	1 02	27 56	18 38	1 41
Pt 3	"	"	F. B. Hackett.....	60	4	240	11	26 40	1 02	27 42	18 28	1 40
1	"	"	Jno. Curry	55	4	220	11	24 20	94	25 14	16 76	1 29
West	"	"	Mrs. Jas. Turville..	98.8	4	394.6	11	43 41	1 68	45 09	30 06	2 31
21	"	"	W. Koffage	89.8	4	358.6	11	39 44	1 52	40 96	27 30	2 10
22	"	"	Jno. Duncanson,..	59.11	4	239.6	11	26 33	1 02	27 35	18 24	1 40
S pt 20	"	"	Mrs. Ann Taylor...	31.3	4	125	11	13 75	53	14 28	9 52	73
N pt 20	"	"	Mrs. Lambert.....	30.3	5.9	173.9	11	19 12	74	19 86	13 24	1 02
19	"	"	Echo Printing Co. }	61	6.7	408.1	11	44 88	1 74	46 62	31 08	2 39
18	"	"	Miss Bruce.....	61.7	4	246.3	11	27 09	1 05	28 14	18 76	1 44
17	"	"	P. B. Leighton .. }	56.8	6.7	365.7	11	40 22	1 56	41 78	27 85	2 14
15 and 16	"	"	J. H. C. Leggatt }	114.9	6.8	757.7	11	83 34	3 22	86 56	57 70	4 48
14, pt 13	"	"	Mrs. Brown	72.2	4	291.11	11	32 11	1 24	33 35	22 24	1 71
N pt 13	"	"	E. M. S Thomas .. }	49.11	7.2	357.3	11	39 30	1 52	40 82	27 22	2 09
South	"	Murray	Mrs. Alex. Pirie ..	117.5	7.2	840.5	11	92 44	3 58	96 02	64 01	4 97
E pt 8&17	"	"	P. B. Leighton .. }	36	7.7	268.3	11	29 50	1 15	30 65	20 44	1 57
10	"	"	Mrs. Ann Taylor.. }	45	6.1	273.6	11	74 58	2 89	77 47	51 64	4 00
W pt 19	"	"	Henry Drouillard.. }	72.8	6.3	114.1	11	25 90	1 00	26 90	17 97	1 38

SIDEWALKS.—Continued.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lot or part of lot.	Side of street.	Street.	Person assessed.	Feet frontage.	Width of walk.	Total square feet.	Price per foot.	Cost.	Interest on temporary loans and other expenses.	Total cost.	Amount assessable on lots being ^{est} of total cost.	Annuity for 20 years.	Annual rate per foot frontage.
E pt 19 . . .	South . . .	Murray . . .	Eliza O'Madden . . .	47.2	4	188.6	11	20 74	\$ 80	\$ 21 54	\$ 14 36	\$ 1 10	\$ 0.2503
E pt 19 . . .	" . . .	" . . .	" . . .	47.5	4.5	208.6	11	22 94	9	23 83	15 89	1 23	0.2594
E pt 18 . . .	North . . .	" . . .	Wm. Caldwell . . .	67.2	4.10	322.4	11	35 46	1 38	36 84	24 56	1 89	0.2813
E pt 18 . . .	" . . .	" . . .	Colin Wigley . . .	33.1	8.10	298.8	11	32 85	1 27	34 12	22 75	1 75	0.521
W pt 18 . . .	" . . .	" . . .	Powell Estate . . .	33.1	8.10	291	11	32 00	1 24	33 24	22 16	1 73	0.521
E pt 10 . . .	" . . .	" . . .	M. Lawlor . . .	39.1	5.7	218	11	23 98	93	24 91	16 62	1 28	0.3275
W pt 10 . . .	" . . .	" . . .	Mrs. Jas. Turville . . .	94.4	5.6	471.6	11	51 87	2 00	53 87	35 91	2 76	0.3115
9	" . . .	" . . .	Mrs. Horsman . . .	134.2 less 34.7 sq ft.	5.6	702.7	11	77 28	2 99	80 27	53 51	4 17	0.3111
W pt 16 . . .	" . . .	" . . .	J. H. G. Leggatt . . .	11.8	5.3	61.2	11	6 73	26	6 99	4 66	36	0.3085
W pt 16 . . .	" . . .	" . . .	Jos. Reame, less . . .	19.11	8.4	162.9	11	17 90	69	18 59	12 40	95	0.5205
Pt 16	" . . .	" . . .	J. H. C. Leggatt (Jos. Viger) . . .	1.8	1.5								
E pt 16	" . . .	" . . .	J. H. C. Leggatt . . .	45.1	8.4	374.8	11	41 21	1 59	42 80	28 54	2 15	0.477
E pt 19	East . . .	Seymore . . .	Thos Harris . . .	60.7	9.11	599.7	11	65 95	2 55	68 49	45 66	3 52	0.581
16, 17 & 18 . . .	" . . .	" . . .	Ezekil Stevens . . .	60.2	4	240.7	11	26 47	1 02	27 50	18 32	1 40	0.2503
15	" . . .	" . . .	Hubert Sharpe . . .	179.10	4	719.2	11	79 11	3 06	82 17	54 78	4 22	0.2503
N pt 14	" . . .	" . . .	Mrs. Walsh . . .	61.4	4	245.3	11	26 98	1 03	28 01	18 66	1 43	0.2503
S pt 14	" . . .	" . . .	Peter Mero . . .	29.5	4	117.6	11	12 93	50	13 43	8 96	88	0.2503
13	" . . .	" . . .	W. Anderson . . .	31.2	4	124.6	11	13 71	53	14 24	9 50	72	0.2503
12	" . . .	" . . .	Ezekil Stevens . . .	59.4	4	237.3	11	26 10	1 01	27 11	18 08	1 39	0.2503
	" . . .	" . . .		60.3	4	241	11	26 51	1 02	27 53	18 38	1 42	0.2503

N pt 11...	"	Jno. B. Girardin...	31.2	4	124.6	11	13 71	53	14 24	9 50	72	0.2503
S pt 11...	"	Michael Girardin...	32.2	4	128.3	11	14 11	54	14 65	9 76	74	0.2503
10...	"	Colin Wigle...	89.9	4	359	11	39 49	1 53	41 02	28 35	2	0.2503
9...	"	F. Curtis...	20.4	5.5	109.9	11	12 08	48	12 56	8 36	64	0.3147
9...	"	"	38.9	4	155	4	17 05	67	17 72	11 82	90	0.2503
N pt 8...	"	S. McDowell...	29.8	4	118.6	11	13 05	52	13 57	9 03	68	0.2503
S pt 8...	"	R. Hancock...	30.5	4	121.6	11	13 37	53	13 90	9 26	72	0.2503
6 and 7...	"	Antoine Amlin...	119.2	4	476.6	11	52 42	2 03	54 45	36 30	2 79	0.2503
5...	"	Wm. Wilcox...	62.1	4	248.3	11	27 31	1 06	28 37	18 90	1 43	0.2503
4...	"	Julia Turner...	60	4	240	11	26 40	1 03	27 43	18 28	1 40	0.2503
3...	"	Jno. Duncanson...	60	4	240	11	26 40	1 02	27 42	18 28	1 40	0.2503
2...	"	Gaurent Robidoux...	58.10	4	235.3	11	25 88	1 0	26 88	17 90	1 37	0.2503
1...	"	Mr. Minkler...	58	4	232	11	25 52	99	26 51	17 68	1 34	0.2503
North	Gore.	Geo. Cooper...	131.2	4	524.6	11	57 71	2 25	59 96	39 97	3 07	0.2503
30...	"	Julian Des Lippe...	130.7	4	522.3	11	57 45	2 23	59 68	39 78	3 05	0.2503
S w pt 9...	"	Dan'l Bouffer...	103.4	4	413.3	11	45 46	1 76	47 22	30 46	2 32	0.2503
S e pt 9...	"	Henry Bouffer...	24.9	4	99	11	10 89	43	11 32	7 53	56	0.2503
28...	"	Jno. Cooper...	131.1	4	524.3	11	57 67	2 25	59 92	39 94	3 08	0.2503
N w pt 8...	Dalhousie.	Mrs. Alex. Pirie...	51.7	5	257.9	11	28 36	1 10	29 46	19 64	1 53	0.3115
S w pt 8...	"	"	45.6	5.6	225.9	11	24 83	96	25 79	17 20	1 33	0.2923
S w pt 8...	"	Mrs. Menzie's estate	34.2	5	170.10	11	18 80	73	19 53	13 00	99	0.3115
5, 6 and 7...	"	John R. Park...	121.8	5	608.3	11	66 90	2 58	69 48	46 32	3 55	0.3115
5, 6 and 7...	"	"	61.10	9.8	596.9	11	65 64	2 54	68 18	45 46	3 50	0.5666
4...	"	Jno. Taylor...	60.10	5	304	11	33 44	1 29	34 73	23 16	1 78	0.3115
3...	"	Mrs. Ann Cunningham...	60.2	5.6	330.8	11	36 37	1 35	37 72	25 14	1 93	0.3207
Total							12,256 88	1,357 84	13,614 70	9,076 43	697 76	

PARK STREET SEWER AND EXTENSIONS.

1	2	3	4	5	6	7	8	9
No. of Lot.	Side of street.	Street.	Persons assessed.	Feet frontage.	Cost per foot.	Total cost.	Annuity for 20 years.	Annual rate per foot frontage.
Pt 3.....	West	Dalhousie	Walker & Sons	125	0.99295	\$ 124 12	9 54	\$ 0.076333
Pt 3.....	"	"	Jason W. Pulford	50	0.99295	49 66	3 82	0.076333
Pt 1.....	North	Park	George Middleditch	85.2	0.99295	84 57	6 50	0.076333
Pt 2.....	"	"	Frances Bailey	42.8	0.99295	42 37	3 25	0.076333
Pt 3.....	"	"	George Gott, jr	59	0.99295	58 58	4 50	0.076333
Pt 4.....	"	"	James Turville	58.4	0.99295	57 92	4 45	0.076333
Pt 5.....	"	"	Ann Turville	61.9	0.99295	61 32	4 71	0.076333
Pt 6.....	"	"	David Trotter	60.3	0.99295	59 82	4 60	0.076333
Pt 7.....	"	"	Frank Steffers.	30.5	0.99295	30 28	2 33	0.076333
E pt 7.....	"	"	John Anderson	30.4	0.99295	30 12	2 30	0.076333
E pt 8.....	"	"	James Jarmen.	60.7	0.99295	60 07	4 40	0.076332
9.....	"	"	Wm. McGuire.	58.2	0.99295	57 76	4 44	0.076333
10.....	"	"	Robert Sawyer	58.5	0.99295	58 08	4 46	0.076333
11.....	"	"	Robert Hamilton	59.4	0.99295	58 92	4 53	0.076333
12.....	"	"	John R. Park	57.6	0.99295	57 09	4 39	0.076338
13.....	"	"	J. P. Duke	62	0.99295	61 56	4 83	0.076333
41.....	West	Apsley	James Wilderspin	57.3	0.99295	56 86	4 37	0.076333
42.....	"	"	"	57.3	0.99295	56 86	4 37	0.076333
13.....	South	Simcoe	Sarah Bruce	60	0.99295	59 58	4 58	0.076333
14 and 15	"	"	Alf. Pulford	120	0.99295	119 15	9 16	0.076333
16.....	"	"	Simon Fraser	58	0.99295	57 59	4 43	0.076333
17.....	"	"	Theodore Young	57	0.99295	56 60	4 35	0.076333
18.....	"	"	"	57	0.99295	56 60	4 35	0.076333
1.....	"	Park	George Middleditch	84.9	0.99295	84 16	6 47	0.076333

2	"	"	"	George Middleditch	84.9	0.99295	84.16	6.47	0.076333
3	"	"	"	Wm. Sparks	88.6	0.99295	87.88	6.76	0.076333
4	"	"	"	H. Hamilton	60.8	0.99295	60.24	4.63	0.076333
5	"	"	"	Ida Hackett	59.8	0.99295	59.25	4.55	0.076333
6	"	"	"	A. H. Clarke	62.10	0.99295	62.39	4.80	0.076333
7	"	"	"	"	62.3	0.99295	61.81	4.75	0.076333
8	South	Park	"	F. J. Maloney	58	0.99295	57.59	4.43	0.076333
9	"	"	"	Caroline Grenier	58	0.99295	57.59	4.43	0.076333
10	"	"	"	Wm. La Roy	58.4	0.99295	57.92	4.45	0.076333
11	"	"	"	Alex. Borrett	59.9	0.99295	59.43	4.57	0.076333
12	"	"	"	Eli Morin	57.4	0.99295	56.93	4.38	0.076333
14	North	"	"	Andrew Anderson	60.5	0.99295	60.07	4.62	0.076333
39	East	Apsley	"	Jas. Allen	57.8	0.99295	57.26	4.62	0.076333
40	"	"	"	Jno. Ryan	60.6	0.99295	60.07	4.62	0.076333
14	North	Simcoe	"	Jno. Thrasher	60	0.99295	59.58	4.58	0.076333
1	East	Apsley	"	Simon Fraser	84.9	0.99295	84.15	6.47	0.076333
35	North	Simcoe	"	Gore Atkin	84.9	0.99295	84.15	6.47	0.076333
1	"	"	"	W. Minaker	101	0.99295	103.27	7.94	0.076333
39	"	"	"	Mrs. Frank Robbins	97.6	0.99295	96.90	7.45	0.076333
1	"	"	"	D. Mongeau	90.9	0.99295	90.10	6.93	0.076333
W pt 40	"	"	"	Mrs. Herbert West	65	0.99295	64.54	4.96	0.076333
E pt 40	"	"	"	Jas. Grondin	65	0.99295	64.54	4.96	0.076333
19	"	"	"	Pat. Lafferty	58	0.99295	57.59	4.44	0.076333
20	"	"	"	Mr. Iler	60	0.99295	59.58	4.58	0.076333
21	"	"	"	Peter Bondy	60	0.99295	59.58	4.58	0.076333
22	"	"	"	Mrs. Kate Williams	60	0.99295	59.58	4.58	0.076333
23	"	"	"	Prior Wilson	60	0.99295	59.58	4.58	0.076333
24	"	"	"	Ona Jones	59.4	0.99295	58.90	4.53	0.076333
25	"	"	"	Clarence Smith	59	0.99295	58.58	4.50	0.076333
26	"	"	"	"	59.6	0.99295	59.08	4.54	0.076333
27	"	"	"	"	60	0.99295	59.58	4.58	0.076333
2	East	Seymore	"	Laurent Kobidoux	58.9	0.99295	58.33	4.48	0.076333
3	"	"	"	Capt. John Duncanson	60	0.99295	59.58	4.58	0.076333
4	"	"	"	Julia Turner	60	0.99295	59.58	4.58	0.076333
5	"	"	"	William Wilcox	62.6	0.99295	62.06	4.77	0.076333
6	"	"	"	Antoine Amlin	58.9	0.99295	58.34	4.48	0.076333
7	"	"	"	"	60.6	0.99295	60.07	4.62	0.076333
S pt 8	"	"	"	Robt. Hancock, sr.	31	0.99295	30.78	2.87	0.076333
N pt 8	"	"	"	S. McDowell	29	0.99295	28.80	2.22	0.076333

PARK STREET SEWER AND EXTENSIONS.—Continued.

1	2	3	4	5	6	7	8	9
No. of Lot.	Side of street.	Street.	Persons assessed.	Feet frontage.	Cost per foot.	Total cost.	Annuity for 20 years.	Annual rate per foot frontage.
9.....	East.....	Seymore.....	Fred Curtis.....	59	0.99295	58 58	\$ 4 50	\$ 0.076333
28 and N pt 29 ..	West.....	".....	Elizabeth Burk.....	80.6	0.99295	79 93	6 14	0.076333
S pt 29	".....	".....	F. A. Hough.....	39	0.99295	38 73	2 98	0.076333
30.....	".....	".....	Fred Brown.....	60.9	0.99295	60 32	4 64	0.076333
N pt 31	".....	".....	Henry Langlois.....	37	0.99295	36 74	2 82	0.076333
S 31	".....	".....	Jos. Richard.....	23	0.99295	22 84	1 77	0.076333
32.....	".....	".....	Antoine Amlin.....	60	0.99295	59 58	4 58	0.076333
N pt 33	".....	".....	Regal Thompson.....	31.6	0.99295	31 27	2 39	0.076333
S pt 33	".....	".....	Julia Turner.....	30.6	0.99295	30 28	2 32	0.076333
34.....	".....	".....	Elizabeth Burk.....	59.6	0.99295	59 08	4 54	0.076333
Pt 30 and 31.....	".....	King.....	St. Jean Baptiste Society.....	118	0.99295	117 17	9 01	0.076333
32.....	".....	".....	Dr. Edwards.....	60	0.99295	59 58	4 58	0.076333
33.....	".....	".....	Gilbert Morin.....	58	0.99295	57 59	4 43	0.076333
34.....	".....	".....	Archange Garnier.....	58	0.99295	57 59	4 43	0.076333
35.....	".....	".....	Julia Bron.....	59.6	0.99295	59 08	4 54	0.076333
36.....	".....	".....	Mrs. M. Morin.....	65.5	0.99295	65 00	5 00	0.076333
37.....	".....	".....	Andrew Belcours.....	60.6	0.99295	60 08	4 62	0.076333
38 and 39.....	".....	".....	Mrs. F. Robbins.....	87.6	0.99295	86 88	6 68	0.076333
1, 2 and 3.....	East.....	".....	David Mongeau.....	111	0.99295	110 22	8 63	0.076333
4.....	".....	".....	Alex. Bertrand.....	60.4	0.99295	59 61	4 58	0.076333
5.....	".....	".....	Geo. Robidoux.....	61	0.99295	60 57	4 66	0.076333
6.....	".....	".....	Mrs. Horace Cote.....	62	0.99295	61 56	4 73	0.076333
7.....	".....	".....	Solomon Roy.....	60	0.99295	59 58	4 58	0.076333
8.....	".....	".....	Church and Watson Curtis.....	57.9	0.99295	57 34	4 42	0.076333

9 and 10	"	"	Jos. Robidoux.....	120. 9	0.99295	119 90	9 22	0.076333
25.....	West	George	Johnson Estate.....	60 6	0.99295	60 07	4 62	0.076333
26.....	"	"	Monroe Estate.....	62 6	0.99295	62 06	4 77	0.076333
27 and 28	"	"	Baptiste Church.....	118	0.99295	117 17	9 02	0.076333
29 and 30	"	"	Adella Deslippe.....	154	0.99295	152 91	11 76	0.076333
31 and 32	"	"	Wm. Monroe.....	89 6	0.99295	88 89	6 83	0.076333
S pt 32.....	"	"	Francis Primeau.....	30 6	0.99295	30 28	2 33	0.076333
33.....	"	"	Mrs. H. Aikmen.....	60	0.99295	59 58	4 58	0.076333
34.....	West	George	Wm. Munroe.....	60	0.99295	59 58	4 58	0.076333
35.....	"	"	Mrs. Arsene Richard.....	63.9	0.99295	63.24	4 85	0.076333
36.....	"	"	Alex. Bertrand, jun	61	0.99295	60.37	4 66	0.076333
37.....	"	"	W. Vency.....	62	0.99295	61.56	4 73	0.076333
N pt 38.....	"	"	Jno. Foster.....	30.3	0.99295	30.03	2 30	0.076333
38.....	"	"	Jno. W. Stokes.....	30.3	0.99295	30.03	2 30	0.076333
39.....	"	"	Jas. Dobson.....	60	0.99295	59 58	4 58	0.076333
40.....	"	"	Jas. Grondin.....	67	0.99295	66.53	5 50	0.076333
1.....	East	"	Mrs. Celia Gott.....	57	0.99295	56.60	4 35	0.076333
S pt 1.....	North	Perry	do.....	43	0.99295	42.70	3 28	0.076333
N pt 1.....	East	George	Arthur Harris.....	43	0.99295	42.70	3 28	0.076333
2.....	"	"	Wm. Brantford, jun	62	0.99295	61.56	4 73	0.076333
3.....	"	"	Wm. Brantford, sen	66	0.99295	65.53	4 44	0.076333
S pt 4.....	"	"	Albert Wilson.....	35.3	0.99295	35.00	2 69	0.076333
N pt 4.....	"	"	Mr. Brakenbridge.....	29.3	0.99295	29.04	2 23	0.076333
5.....	"	"	Mr. Graham.....	59	0.99295	58.60	4 50	0.076333
6.....	"	"	Jno. Wesley.....	62	0.99295	61.56	4 73	0.076333
7.....	"	"	Geo. Crawford.....	59.9	0.99295	59 33	4 56	0.076333
8.....	"	"	do.....	60.9	0.99295	60 32	4 64	0.076333
S pt 9.....	"	"	Dan. Bouford.....	45.6	0.99295	44.98	3 64	0.076333
N pt 9.....	"	"	Jno. Cooper.....	44.6	0.99295	43.99	3 38	0.076333
10.....	"	"	Louis Chambers.....	63	0.99295	62.56	4 80	0.076333
11.....	"	"	Louis Lavos.....	60	0.99295	59 58	4 58	0.076333
12.....	"	"	Primeau Bros.....	60.9	0.99295	60.31	4 64	0.076333
S pt 13.....	"	"	Reni Primeau.....	31.6	0.99295	32.07	2 47	0.076333
N pt 13.....	"	"	David Smith.....	28.6	0.99295	28.10	2 16	0.076333
14.....	"	"	Jno. D. Brown.....	61.6	0.99295	60 87	4 68	0.076333
Town's share being cost of culverts and other work necessary for street surface drainage and cost of drains				7,515.63	577.76	3,319.45	255.19	.....
opposite street intersections and properties exempt from special local assessment				.....	.....	.....	.....	.....

1	2	3	4	5	6	7	8	9
No. of Lots.	Side of street.	Street.	Persons assessed.	No. of feet frontage.	Cost per foot frontage.	Total cost.	Annuity for 20 years.	Annual rate per foot frontage.
pt 15	East	Dalhousie	Fisher estate	126	0.68445	86.24	6.63	\$ 0.05262
pt 15	"	"	Jno. Auld	50	0.68445	34.22	2.63	\$ 0.05262
pt 30	"	"	Adolphe Bezaro	90	0.68445	61.60	4.74	\$ 0.05262
pt 30	"	"	Wm. Fox	89	0.68445	60.92	4.69	\$ 0.05262
3t 45	"	"	Wm. Borrowman	54	0.68445	36.96	2.85	\$ 0.05262
pt 45	"	"	Jno. R. Park	58	0.68445	39.69	3.06	\$ 0.05262
pt 8	"	"	Julia W. Wilkinson	165	0.68445	112.93	8.68	\$ 0.05262
pt 7	West	"	Andrew Green	169	0.68445	115.67	8.89	\$ 0.05262
pt 7	"	"	Margaret Menzie	110	0.68445	75.29	5.79	\$ 0.05262
pt 776	"	"	Jas. McLeod	89	0.68445	60.92	4.69	\$ 0.05262
pt 5	"	"	W. H. McEvoy	93	0.68445	63.65	4.89	\$ 0.05262
pt 4 and 5	"	"	Jones Estate	42	0.68445	28.75	2.22	\$ 0.05262
pt 4	"	"	Jones Estate	79	0.68445	54.07	4.16	\$ 0.05262
pt 3 and 4	"	"	Jno. Auld	167	0.68445	114.30	8.78	\$ 0.05262
pt 3	"	"	Esrias Fox	40	0.68445	27.38	2.10	\$ 0.05262
pt 2 and 3	"	"	Henry Clay	91	0.68445	62.29	4.79	\$ 0.05262
pt 2	"	"	Jno. R. Park	70	0.68445	47.92	3.68	\$ 0.05262
pt 1 and 2	"	"	Michael Twomey	109	0.68445	74.60	5.72	\$ 0.05262
pt 1	"	"	Post Office	86	0.68445	58.86	4.52	\$ 0.05262
Town's share, being cost of culverts and other work necessary for street surface drainage, and cost of drains opposite street intersections and properties exempt from special local assessment .....					.....	1 216.26	93.51 .....	.....
					.....	633.74	48.72 .....	.....

CHAPTER 47.

An Act respecting the Water Works Debentures of the City of Belleville.

Assented to 15th April, 1901.

WHEREAS the Municipal Corporation of the City of Belleville has by petition represented that under the authority of By-Law No. 925 of the City of Belleville passed on the 12th day of June, 1899, which by-Law received the assent of the duly qualified ratepayers of the said Municipality as required by law, the said corporation has issued debentures to the amount of \$182,000 bearing interest at the rate of three and one-half per cent. per annum, payable half-yearly for the purchase of the Belleville Waterworks, and that the said corporation purchased and took possession of the said waterworks on the 1st day of July, 1899, and has since been operating the same but has been unable to dispose of the said debentures at par or realize upon them except at considerable sacrifice owing to the low rate of interest which they bear; and whereas the said corporation has borrowed the amount required to pay for the said waterworks from bankers on the ordinary credit of the municipality and the said waterworks and not on the security of the said debentures and the said corporation is paying therefor a much higher rate of interest than if the amount required were to be raised by the sale or hypothecation of debentures of the said corporation repayable in thirty years; and whereas the said corporation has by the said petition prayed that an Act may be passed authorizing the cancelling and destruction of the said issue of \$182,000 of three and one-half per cent. debentures and the amendment of the said By-Law No. 925 by striking out sections 2 to 6, inclusive, thereof and that the said corporation may be further authorized to issue debentures to an amount not exceeding in the whole \$182,000 bearing interest at a rate not exceeding four and one-half per cent. per annum payable half-yearly, and to devote the proceeds arising from the sale of the said debentures to repay the sum borrowed as aforesaid; and whereas it has been made to appear that all the members of the council of the said city for the year 1900 were in favour of the said petition and that notice of the said petition was advertised in a newspaper published in the said city, during the months of December, 1900, and January, 1901, during which time the municipal elections for the said city were held and the council of the year 1901 elected, and that the members

Preamble.
of

of the council for the said city for the year 1901 were also all in favour of the said petition, and it appearing that no objection has been made to the council of the said corporation to the presentation of the said petition and the passing of this Act, and the said corporation having represented that it will be less expensive to obtain an Act than to pass a by-law with the assent of the ratepayers under the provisions of *The Municipal Act* for the purpose of amending the said By-law No. 925, and further that such an Act would facilitate the sale of the said debentures and would greatly enhance their commercial value; and whereas the said corporation has further represented that it might be impossible to dispose of the said debentures at par, if issued at a 4 per cent. rate of interest and has prayed for the privilege of issuing the said debentures at a rate not to exceed $4\frac{1}{2}$ per cent. per annum; and whereas no opposition has been made to the said petition; and whereas it is expedient to grant the prayer of the said petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Power to
amend By-
Law
No. 925.
Rev. Stat.
c. 223.

1. The Corporation of the City of Belleville may by by-Law passed in open council without the assent of the ratepayers, as required by *The Municipal Act*, repeal sections 2 to 6 inclusive, of the said By-Law No. 925, printed as Schedule "A" to this Act.

Debentures
to be
destroyed.

2. The said corporation shall forthwith after the repeal of the said sections cancel and destroy the debentures issued under the authority of the said By-Law No. 925.

Power to
issue new
debentures
for water
works.

3. After the cancellation and destruction of the said debentures it shall be lawful for the said Corporation of the City of Belleville to pass a by-law or by-laws providing for the issue of debentures under their corporate seal signed by the mayor and countersigned by the treasurer for the time being in sums of not less than \$100 each and not exceeding in the whole \$182,000 being the amount authorized by the said By-Law No. 925 and the principal and interest accruing thereon may be made payable either in Canada or Great Britain or elsewhere and either in sterling money of Great Britain or in lawful money of Canada as the Council of the said corporation may direct.

Payment of
debentures
and interest.

4. The said debentures shall be payable at such time not more than thirty years from the date thereof as the said corporation may direct. Coupons for the amount of the interest thereon shall be attached to the said debentures and be signed by the treasurer of the said corporation and said interest shall be payable half-yearly; such debentures may bear interest at any rate not exceeding four and one-half per cent. per annum

annum and may be known and described as The Water Works Debentures of the Corporation of the City of Belleville.

5. The said corporation shall annually during the currency of the said debentures levy in addition to all other rates to be levied in each year a special rate on all taxable property within the municipality sufficient to pay the amount falling due annually for interest and also to provide a sum to form a sinking fund for the payment of the said debt which sum will be sufficient with the interest estimated at a rate not exceeding four per cent. per annum on the investment thereof to discharge the said debt when payable. Special rate.

6. The said corporation may raise money by the sale or hypothecation of the said debentures as they may deem expedient and all moneys to be derived from such sale or hypothecation shall be applied for the payment of such debt now owing to their bankers in respect of the purchase of the said waterworks, the improvements of the said waterworks as mentioned in the said by-law and the expenses incurred in connection with the purchase thereof and the submission to the ratepayers of the said By-Law No. 925 and to and for no other purpose. Power to raise money on debentures.

7. The holders of such debentures shall have a preferential charge on the said waterworks and the lands and other property appertaining thereto for securing the payment of the debentures and the interest thereon. Lien of debenture holders.

8. It shall not be necessary to obtain the assent of the ratepayers of the said City of Belleville to the issue of the said debentures or to the passing of any by-law relating thereto or to observe the formalities in relation thereto prescribed by *The Municipal Act* or amendments thereto. Assent of electors not required.

9. No irregularity in form either of the said debentures or of any by-Law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof. Rev. Stat. c. 223. Informalities not to invalidate debentures.

SCHEDULE "A."

BY-LAW No. 925.

A By-law of the corporation of the City of Belleville to raise the sum of one hundred and eighty two thousand dollars for the purchase of the Belleville Water Works. Passed 12th June, 1899.

Whereas, the said Water-Works were constructed in the years 1887 and 1888 under a contract bearing date the 12th day of October, 1886, between the Belleville Water-Works Company and the corporation of the City of Belleville.

And whereas, the Belleville Water-Works Company have agreed with the corporation of the City of Belleville to sell and convey to the said corporation the works and property of the said company within and without the municipality of the City of Belleville for the price or sum of \$179,644.78.

And whereas, it is expedient in the interest of the corporation of the City of Belleville to acquire the works of the Belleville Water-Works Company and all property used in connection therewith both within and without the Municipality of the City of Belleville.

And whereas, in order to pay the amount as agreed upon as aforesaid, and the costs and expenses of the Corporation of the City of Belleville of and incidental to obtaining proper information as to the value of the said Water-Works and plant to enable them to agree with the company as to the value thereof, and for the purpose of improving the said water-works by putting another main across the river, and of and incidental to submitting this by-law to the electors, it is necessary to raise the sum of one hundred and eighty-two thousand dollars (\$182,000) upon the credit of the Corporation of the City of Belleville, and to issue debentures of the said corporation to provide therefor.

And whereas, the sum of six thousand, three hundred and seventy dollars will require to be raised annually during the currency of the debentures by this by-law authorized to be issued to pay the interest on the said sum of \$182,000, at the rate of three and one-half per cent. per annum, and the sum of three thousand two hundred and forty-five dollars and eight cents will require to be raised annually to discharge the said principal sum of \$182,000, when payable, making together the sum of \$9,615.08. which said sum of \$3,245.08 will be sufficient with the estimated interest on the investment thereof to discharge the said debt when payable.

And whereas, the whole ratable property of the said municipality, according to the last revised assessment roll of the municipality, being for the year 1898, amounts to \$3,862,126.00.

And whereas, the existing debenture debt of the said municipality (including local improvement debentures and school debentures) is the sum of \$447,163.68, and no part of the same nor of the interest thereon is in arrears.

And whereas, for paying the said debt hereby created, and the interest thereon at the rate aforesaid an annual special rate, sufficient therefor on the dollar must be levied in addition to all other rates to be levied in each year.

Be it therefore enacted by the municipal council of the corporation of the City of Belleville as follows:—

1. That it is expedient in the interest of the said City of Belleville to acquire the works and property of the Belleville Water-Works Company both within and without the municipality of the City of Belleville.

2. That it shall be lawful for the mayor of the said city for the purposes aforesaid to borrow upon the credit of the debentures hereafter mentioned a sum not exceeding the said one hundred and eighty-two thousand dollars, and to issue debentures bearing date the 20th day of June, 1899, of the said municipality to an amount not exceeding \$182,000 in sums of not less than one hundred dollars each, payable at the end of thirty years from the 20th day of June, 1899, and to bear interest at a rate not exceeding three and one-half per cent. per annum payable half-yearly

yearly, on the 20th days of December and June, in each and every year during the currency of the said debentures.

3. That the said debentures as to principal and interest shall be payable in lawful money of the Dominion of Canada at the office of the treasurer of the municipality of the City of Belleville.

4. That it shall be lawful for the mayor of said municipality for the purposes aforesaid, and he is hereby authorized and instructed to sign and issue the said debentures and the said coupons attached thereto hereby authorized to be issued and to cause the said debentures and the interest coupons attached thereto to be signed by the treasurer of the said municipality; and the clerk of the said municipality is hereby authorized and instructed to attach the seal of the said municipality to the said debentures.

5. That for the payment of the said debenture or debentures and interest thereon as aforesaid, the said annual sums of six thousand three hundred and seventy dollars for the payment of interest, and the sum of three thousand two hundred and forty-five dollars and eight cents to form a sinking fund for the payment of the said principal, which make together the sum of nine thousand six hundred and fifteen dollars and eight cents, shall be raised and levied in each and every year during the currency of the said debentures, by a special rate sufficient therefor on all the rateable property in the said municipality over and above and in addition to all other rates whatsoever, which said special rate shall be levied in each and every year during the currency of the said debenture or debentures until the said debenture or debentures and interest thereon are fully paid or provided for; and the said annual rate shall begin from the date the said debentures are hereby authorized to be issued.

6. The said special rate shall be annually inserted on the collector's rolls for the said municipality in each year for the said thirty years, and shall be payable to and collected by him in the same way as other rates on said rolls.

7. The said water-works shall be managed by a board of three commissioners, one of whom shall be the head of the council ex-officio, and the remainder of whom shall be elected annually at the same time and in the same manner as the head of the council, except where a vacancy from any cause occurs on the board, when a commissioner who shall hold office during the remainder of the term for which his predecessor was appointed, shall be immediately appointed by the council as provided by the Municipal Waterworks Act, but nothing in this by-law contained shall or shall be held to prevent the council of the said corporation of the City of Belleville from entering into or carrying out a contract for the purchase and improvement of the said water-works as hereinbefore recited before the said commissioners are elected.

8. This by-law shall come into force and take effect immediately on its final passing.

And whereas this by-law requires the assent of the electors of the City of Belleville aforesaid before the final passing thereof.

And whereas, it is necessary to appoint a time and place for the taking of a poll of the electors aforesaid on this proposed by-law.

Be it therefore enacted that the votes of the qualified electors of the said City of Belleville (in accordance with the statutes in that behalf) shall be taken upon this by-law on Tuesday, the 30th day of May, A. D. 1899, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day at the following places in the said municipality by the following deputy-returning officers, namely:—

In Foster Ward, in the building occupied by William Blaind on West John street, in said ward, and that the said William Blaind be, and he is hereby appointed deputy returning officer for said Foster Ward.

In Samson Ward, in the police court room in the market building, and that Charles Herring be, and he is hereby appointed deputy returning officer for said Samson Ward.

In Ketcheson Ward, in the building on the southwest corner of Pinacle and Campbell streets in said ward, and that Alexander R. Walker be, and he is hereby appointed deputy returning officer for said Ketcheson Ward.

In Baldwin Ward, in number two fire engine shed on the west side of Front street, in the City of Belleville, and that James Macoun be, and he is hereby appointed deputy returning officer for said Baldwin Ward.

In Bleecker Ward, in the building next north of McGinnis' store, and that William A. Lott be, and he is hereby appointed deputy returning officer for said Bleecker Ward.

In Coleman Ward, in the building occupied by Henderson Brown as a shoe shop, on the east side of North Front street, and that William A. Pringle be, and he is hereby appointed deputy returning officer for said Coleman Ward.

In number seven division of Murney ward, in the building occupied by James McCarty as a shoe shop, on the north side of Bridge street in the said ward, and that J. Charles Panter be, and he is hereby appointed deputy returning officer for said number seven division of said Murney ward.

In number eight division of Murney ward, in the building occupied by Harry Geary as a butcher shop, on the south-east corner of Coleman and Bridge streets in the said ward, and that Nicholas W. Lazier be, and he is hereby appointed deputy returning officer for the said number eight division of said Murney ward.

Be it further enacted that the clerk of the council for the corporation of the City of Belleville shall attend at the City Hall in the City of Belleville on Thursday, the first day of June, 1899, at the hour of ten o'clock in the forenoon to proceed to sum up the number of votes given for and against this by-law in accordance with the provisions of the Statute in that behalf.

Be it further enacted that the mayor of the corporation of the City of Belleville shall attend at the City Hall in the said city on Friday, the 26th day of May, 1899, at the hour of twelve o'clock noon for the purpose of appointing and shall appoint in writing signed by him two persons to attend the final summing up of the votes given for and against this by-law, and for the purpose of appointing one person to attend at each polling place upon the day of the polling of the said votes on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law, which place, date and hour are hereby fixed for said purpose

Read a first time in open council this seventeenth day of April, A.D. 1899.

[Signed] J. W. JOHNSON,
Mayor.

Read a second and third time in open council this 12th day of June, A.D. 1899.

[Signed] J. W. JOHNSON,
Mayor.

[Signed] D. B. ROBERTSON, { Corporate }
City Clerk. { Seal. }

CHAPTER 48.

An Act respecting the City of Brantford.

Assented to 15th April, 1901.

WHEREAS the Municipal Corporation of the City of Brantford has by petition shown that the said corporation has necessarily incurred liabilities to the extent of \$15,250 in connection with the construction of works for the prevention of floods from the Grand River and that no provision has been made for meeting such liabilities; and whereas it would be unduly oppressive to the ratepayers to require that the said hereinbefore recited liabilities should be payable out of the annual taxes of the City of Brantford in the present year; and whereas the said corporation has further shown that under a by-law dated the 1st day of August, 1898, numbered 586 the said corporation issued debentures for the sum of \$50,000, payable on the 31st day of December, 1918, and that under another by-law dated the 18th day of June, 1900, numbered 653 the said corporation issued debentures for the sum of \$25,000 payable on the 31st day of October, 1920, all of which said debentures were so issued for the construction of the said flood prevention works, and that the said debentures issued under the said by-laws as aforesaid are still held by the said corporation, and that of the indebtedness represented by the said debentures there is still unpaid the sum of \$71,400; and whereas, the works for which the said debentures were issued being of a necessary and permanent character, payment of the said debentures within the times limited by the said by-laws would be a hardship to the present ratepayers of the said city; and whereas it is desirable that the said debentures should be cancelled and new debentures issued for the said sum of \$71,400, to be payable in forty years from the first day of January, 1901; and whereas the said Corporation of the City of Brantford has prayed that an Act may be passed to enable the said corporation to pass a by-law for the issue of debentures for the sum of \$20,000 to meet the said liabilities for which no provision has been made as aforesaid, and certain floating indebtedness incurred in connection with the construction of certain necessary additions to the House of Refuge of the County of Brant, amounting to \$4,750, and for the issue of debentures
for

for the sum of \$71,400 payable in forty years from the 1st day of January, 1901, as aforesaid; and whereas there is no opposition to the said petition; and whereas it is expedient to grant the prayer of the said petition.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to pass
by-law to
raise \$91,400.

1. The Municipal Council of the Corporation of the City of Brantford may pass a by-law in the form or to the effect set out in Schedule "A" to this Act; and the said by-law upon the passing thereof, and the debentures to be issued thereunder, shall be legal, valid and binding upon the said corporation and the ratepayers thereof, anything in any Act contained to the contrary notwithstanding.

Assent of
electors not
required.

Rev. Stat.
c. 223.

2. It shall not be necessary to obtain the assent of the ratepayers of the said City to the passing of the said by-law or to observe the other formalities in relation thereto prescribed by *The Municipal Act* with respect to by-laws for the creation of debts.

SCHEDULE A.

BY-LAW NO.

To raise \$91,400 expended for flood prevention works and for other purposes.

Whereas certain works were required for the purposes of preventing damage at the City of Brantford by the sudden rise of the waters, from time to time, of the Grand River, and

Whereas to construct such works and to pay the proportion for the said city's share in the House of Refuge it was necessary to expend large sums of money, a part of which to the extent of \$20,000 has hitherto not been provided for by the issue of debentures therefor and is still an outstanding obligation of the corporation of the City of Brantford and it is necessary to raise the said sum of \$20,000 by the issue of debentures of the said corporation payable in forty years from the first day of January, 1901, with interest at four per cent. per annum, and

Whereas the said corporation has heretofore issued debentures for said flood prevention works amounting to the sum of \$50,000 on the first day of August, 1898, redeemable on the thirty-first day of December, 1918, and also to the sum of \$25,000 on the eighteenth day of June, 1900, redeemable on the first day of October, 1920, such debentures still being lawfully owned and possessed by the said corporation and such debentures are to be cancelled and in the place and stead thereof are to be issued debentures of the said corporation amounting to the sum of \$71,400 payable in forty years from the first day of January, 1901, with interest at three and one-half per cent. per annum, and

Whereas it will be required to raise by special rate on account of the said above named \$20,000 debentures during the term of forty years from the first day of January, 1901, for the payment of the principal and interest of the said last named debentures the sum of \$266 for the payment of the said principal and the sum of \$800 for the payment of the said interest during each year of the said term, and

Whereas

Whereas it will be required to raise by special rate on account of the said above named \$71,400 debentures during the term of forty years from the first day of January, 1901, for the payment of the principal and interest of the said last named debentures the sum of \$947 for the payment of the said principal and the sum of \$2,499 for the payment of the said interest during each and every year of the said term, and

Whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$6,560,605, and

Whereas the existing debenture debt of the said municipality amounts to \$895,000, including the said above named debentures for \$50,000 and \$25,000, and no principal or interest is in arrear,

Now therefore the municipal council of the corporation of the City of Brantford enacts as follows:—

1. For the purposes aforesaid it shall and may be lawful for the said corporation to borrow the said sum of twenty thousand dollars and to issue debentures of the municipality to the amount of twenty thousand dollars in sums of not less than one hundred dollars each payable at the expiration of forty years from the first day of January, 1901, with interest at the rate of four per cent. per annum payable half-yearly on the first days of July and January in each and every year from the date of issuing said debentures. The said debentures as to both principal and interest shall be made payable at the office in Brantford of the treasurer of the said corporation and not elsewhere.

2. The mayor of the said municipality is hereby authorized and instructed to sign and issue the said \$20,000 of debentures to be issued as aforesaid and to cause the same and the interest coupons attached thereto to be signed by the treasurer of the said municipality, and the clerk of the said municipality is hereby authorized and instructed to attach the corporate seal thereof to the said \$20,000 of debentures.

3. To provide for the payment of the principal and interest of the said \$20,000 of debentures, the sum of \$266 for the payment of the said principal, and the sum of \$800 for the payment of the said interest shall in addition to all other rates be assessed, levied, raised and collected upon all the rateable property in the said municipality in each year during the currency of the said debentures by special rate therefor.

4. And for the purposes aforesaid it shall and may be lawful for the said corporation to replace and in substitution of the debentures of \$50,000 and \$25,000 mentioned in the preamble hereof to issue debentures of the municipality to the extent of \$71,400 in sums of not less than one hundred dollars each payable at the expiration of forty years from the first day of January, 1901, with interest at the rate of three and one-half per cent. per annum payable half-yearly on the first days of July and January in each and every year from the date of issuing said last named debentures. The said last named debentures as to both principal and interest shall be made payable at the office in Brantford of the treasurer of the said corporation and not elsewhere.

5. The mayor of the said municipality is hereby authorized and instructed to sign and issue the debentures named in the last preceding paragraph hereof and to cause the same and the interest coupons attached thereto to be signed by the treasurer of the said municipality and the clerk of the said municipality is hereby authorized and instructed to attach the corporate seal thereof to the said last named debentures.

6. To provide for the payment of the principal and interest of the said \$71,400 of debentures the sum of \$947 for the payment of the said principal and the sum of \$2,499 for the payment of the said interest shall in addition to all other rates be assessed, levied, raised and collected upon all the rateable property in the said municipality in each year during the currency of the said last named debentures by special rate therefor.

CHAPTER 49.

An Act respecting the Town of Cobourg.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Corporation of the Town of Cobourg has by its petition represented, that it is desirable and necessary in the public interest, to construct certain sewers in the said town; that section 3 of an Act of the Legislature of the Province of Ontario, passed in the 61st year of the reign of Her late Majesty Queen Victoria, chaptered 39, limits to \$10,000 the amount of local improvement debentures which the said corporation may have outstanding at any one time, and that as the said sewers will cost about \$20,000 it is desirable that the said section be amended so as to permit the issue of debentures to pay for the said sewers :

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

61 V. c. 39,
s. 3, amended.

1. Section 3 of the Act passed in the 61st year of the reign of Her late Majesty Queen Victoria, chaptered 39, is amended by striking out the word "ten" in the fourth line and inserting the word "thirty" in lieu thereof. It shall be deemed a compliance with section 386 of *The Municipal Act*, if the debentures hereby authorized to be issued, be made for such a multiple of one hundred dollars as will make the annual payments for principal and interest as nearly equal as may be.

Rev. Stat.
c. 223.

CHAPTER 50.

An Act respecting the Town of Collingwood and the
Cramp Ontario Steel Company.*Assented to 15th April, 1901.*

WHEREAS, the Municipal Corporation of the Town of Collingwood has by petition represented that by an agreement bearing date the 5th day of March, A.D., 1900, and made between the Town of Collingwood and Charles D. Cramp and John Allister Currie the said agreement being set out as Schedule "A" to the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 65, the said Cramp and Currie and their assigns agreed to cause to be constructed, equipped and operated within the Town of Collingwood a blast furnace with all necessary steel furnaces and rolling mills for the manufacture of iron and steel plates, structural shapes, rails and ingots, capable of turning out at least 200 tons of finished merchantable product per day, such works to be of modern design and substantial character, and to be fully equipped with all necessary machinery, plant, furnaces, stack heating ovens, blow engines, boilers, pumps, buildings, wharfs and premises for the proper operation thereof, and to employ at the said town in the operation thereof not less than 600 men continuously, and to invest not less than \$700,000 in the establishment of the said plant and machinery; that the said municipal corporation by the said agreement agreed to assist the said enterprise by granting a cash bonus of \$115,000, a free site on the water front of fifty acres of land, including water lots adjacent, and a frontage on the lake shore where at least 800 feet of docks can be erected, with a uniform depth of 18 feet of water, together with certain privileges as to taxation and assessment more fully set forth in the said agreement, and the said municipal corporation further agreed to furnish 18 feet of water along any docks which may be erected in connection with the said lands and works, and also to furnish a channel of the depth of 18 feet; that the said Charles D. Cramp and John Allister Currie have assigned all their interest in the said agreement to the Cramp Ontario Steel Company, Limited, and that the said company is desirous of not being restricted to the classes of product set forth in the first clause of such agreement to be manufactured by them, but wishes to have the right of manufacturing any other iron and steel finished product in addition to or substitution for the classes of product set forth in Clause 1 of the said agreement; that under the said agreement,

agreement, as at present constituted, the said municipal corporation might become liable to very heavy expense in dredging a channel with 18 feet of water to the docks of the said company and in furnishing 18 feet of water along said docks, there being nothing in the said agreement specifying how far out or into what depth of water the said company shall build their docks; that the time for issuing the debentures to raise the said bonus of \$115,000 expires on the 30th day of April, 1901, but that the said company will not be entitled to payment of the said bonus for some two or three years, and it is desirable in order not to have the said moneys in hand unused and uninvested for such a period, that the time for issuing and paying the said debentures should be enlarged for a period of five years, but so that the last debenture shall not extend over a longer period than thirty years from the time the first debenture becomes due and payable; that the said municipal corporation and the said company, have agreed to vary Clause 1 of the said agreement by permitting the said company to manufacture any other iron and steel finished product in addition to or substitution for those classes of product specifically set forth in the said clause of the said agreement, the quantity of product to be manufactured and the number of men to be employed to be not in any wise lessened by this variation of the said agreement, and the said company has agreed to build its docks into sufficient depth of water to permit of obtaining a depth of 18 feet of water immediately in front thereof without any rock excavation being necessary to be done by the said municipal corporation, provided the necessary water lots can be obtained from the Crown for that purpose, and the said municipal corporation has prayed that an Act may be passed authorizing the said corporation to vary the said agreement accordingly and to extend the time for the issue and payment of the said debentures for a period of five years; and whereas it is expedient to grant the prayer of the said petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Agreement
between town
and company
varied.

1. It shall be lawful for the Municipal Corporation of the Town of Collingwood to agree with the said Cramp Ontario Steel Company, Limited, to vary or amend the said agreement entered into between the said municipal corporation and Charles D. Cramp and John Allister Currie in the following particulars:—(a) by striking out Clause 1 of the said agreement and substituting in the room and stead thereof the words and figures following, that is to say:

1. " The parties of the first part, their heirs, executors administrators or assigns will cause to be constructed, equipped and operated within the Municipality of the Town of Collingwood, a blast furnace with all necessary steel furnaces and rolling mills for
the

the manufacture of iron and steel plates, structural shapes, rails and ingots or any other iron and steel finished product, capable of turning out at least two hundred tons of finished merchantable product per day, such works to be of modern design and substantial character and to be fully equipped with all necessary machinery, plant, furnaces, stack heating ovens, blow engines, boilers pumps, buildings, wharves and premises, for the proper operation thereof, and the parties of the first part will employ at the said town in the operation of the said plant not less than six hundred men continuously and the said parties of the first part will invest not less than the sum of \$700,000 in the establishment of the said plant and machinery,"

and (b) by adding to Clause 5 of the said agreement the words and figures following that is to say:

"The said parties of the first part agreeing that they will build their docks out into sufficient depth of water to permit of obtaining a depth of 18 feet of water immediately in front thereof without any rock excavation being necessary to be done by the said corporation, providing the necessary water lots can be obtained from the Crown for that purpose."

2. The time for the issue of the said debentures shall be extended for a period of five years from the 9th day of April, 1900 and By-law No. 551 of the said municipal corporation set forth as Schedule "B" to the said Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 65, is amended by adding after the figures \$125,000 in Clause 1 thereof the words "at any time the same may be required within five years from the date of the passing of this by-law" and by striking out the figures "1901" in the 6th line of Clause 1 of the said by-law and substituting therefor the figures "1905," and by striking out the figures "1901" in Clause 3 thereof and substituting the figures "1905."

Time for issue
of debentures
extended.

CHAPTER 51.

An Act to incorporate the Town of Copper Cliff.

Assented to 15th April, 1901.

Preamble.

WHEREAS the inhabitants of that certain portion of the Townships of McKim and Snider, in the District of Nipissing, known as the Village of Copper Cliff, have by their petition represented that the said village is rapidly increasing in population and is an important mining centre and the place of business for a large tract of territory; and whereas the inhabitants of the said village have by their said petition represented that the incorporation of the said village as a town would promote its future progress and prosperity and enable its inhabitants to make suitable regulations for the protection and improvement of property, and have prayed for incorporation accordingly; and whereas it is expedient to grant the prayer of the said petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation.

1. On and after the passing of this Act, the said Village of Copper Cliff shall be and is hereby constituted a corporation or body politic under the name of "The Corporation of the Town of Copper Cliff," and shall enjoy and have all the rights, powers and privileges enjoyed and exercised by incorporated towns in the Province of Ontario under the existing laws of the said province.

Limits of town.

2. The said Town of Copper Cliff shall comprise and consist of the lands lying within the limits described as follows, that is to say:—Comprising township lots number ten, eleven and twelve in the second concession, the north quarter of township lots numbers ten, eleven and twelve in the first concession, and the south half of township lot number twelve in the third concession, all in the Township of McKim, in the District of Nipissing, together with the east half of township lot number one in the second concession and the north quarter of the east half of township lot number one in the first concession of the Township of Snider in the District of Algoma, as the said lots are laid down upon the original survey of said townships including all allowances for roads lying between any of said lots or between said concessions.

3. The said Town of Copper Cliff shall be annexed to and form part of the District of Nipissing, and shall not be divided into wards, but for election purposes until altered under the provisions of The Municipal Act shall be divided into two polling sub-divisions to be called respectively, "The First Division" and "The Second Division," which sub-divisions shall be respectively composed and bounded as follows, that is to say: The First Division shall consist of and comprise all that part of the said Town of Copper Cliff which lies east of the boundary line between lots numbers eleven and twelve in the first and second concession of the Township of McKim. The Second Division shall consist of and comprise all of the said Town of Copper Cliff which is not included in the First Division.

Town to form part of District of Nipissing.

Rev. Stat. 223

4. The provisions of *The Municipal Act* and any Act amending the same relating to matters consequent upon the formation of new municipal corporations and the other provisions of *The Municipal Act*, shall, except as herein otherwise provided, apply to said corporation of the Town of Copper Cliff in the same manner as if the said village had been erected into a town under the provisions of the said Act.

Application of provisions of Rev. Stat. c. 223.

5. On the last Monday of the month of December after the passing of this Act, it shall be lawful for Thomas Stoddart, or the Clerk of the Township of McKim for the time being, who is hereby appointed the returning officer after giving notice thereof by public advertisement in a newspaper published within the Township of McKim for at least one week, to hold the nomination for the first election for mayor and councillors at some place in the said Town of Copper Cliff to be stated in the said notice at the hour of noon, and he shall preside at the said nomination, or in the case of his absence the electors present shall choose from amongst themselves a chairman to preside at said nomination, and such chairman shall have all the powers of a returning officer and the polling for said election (if necessary) shall be held on the same day of the week in the week next following the said nomination, and the returning officer or chairman shall at the said nomination publicly announce the place in each of the said polling sub-divisions at which the polling shall take place.

Nominations and first elections.

6. The said returning officer shall by his warrant appoint a deputy returning officer for each of the said polling sub-divisions and such returning officer and each deputy returning officer shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of the municipal laws of Ontario applicable to returning officers at elections in towns, in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to municipal elections in towns.

Deputy returning officers' oaths, etc.

Clerk of township to furnish copy of assessment roll.

7. The clerk of the said Township of McKim shall, upon demand made upon him by said returning officer or by the chairman hereinbefore mentioned at once furnish such returning officer or chairman with a certified copy of so much of the last revised assessment roll for the said township as may be required to ascertain the names of the persons entitled to vote in each of the said polling sub-divisions at the first election, and the said returning officer shall furnish each of the said deputies with a true copy of so much of the said roll as relates to the names of electors entitled to vote in each of the said polling sub-divisions respectively, and each such true copy shall be verified on oath.

Qualifications of voters at first election.

8. At the said first election every male inhabitant resident in that part of the Township of Snider which is by this Act included in the said town shall be entitled to vote in the Second Division, if at the time of the election he is of the full age of twenty-one years and has sufficient property to have entitled him to vote if he had been rated for such property.

Council, how constituted.

9. The council of said town to be elected in manner aforesaid shall consist of the mayor, who shall be the head thereof, and six councillors to be elected by general vote, and they shall be organized as a council on the same day of the week next following the week of the polling, or if there be no polling, on the same day of the week next following the week of the nominations, and subsequent elections shall be held in the same manner as in towns incorporated under the provisions of the municipal laws of Ontario, and the said council and their successors in office shall have, use, exercise and enjoy all the powers and privileges vested by the said municipal laws in town councils, and shall be subject to all the liabilities and duties imposed by said municipal laws on such councils.

Elections after the first.

Declarations of office and qualifications.

10. The several persons who shall be elected or appointed under this Act shall take the declarations of office and qualifications now required by the municipal laws of Ontario to be taken by persons elected or appointed to like offices in towns

Qualifications of electors and officers.

11. At the first election of mayor, and councillors for the said Town of Copper Cliff, the qualification of electors and that of officers required to qualify shall be the same as that required in townships by the municipal laws of Ontario.

Expenses of Act, how borne.

12. All expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds, or any matters whatsoever required by the clerk or other officer of the said Town of Copper Cliff or otherwise, shall be borne by the said town, and paid by it to any person entitled thereto.

Township by-laws in force until repealed.

13. All by-laws and municipal regulations which are in force in the Township of McKim shall continue and be in force as if they had been passed by the Corporation of the Town of Copper Cliff, and shall be extended to and have full effect within the limits of the town hereby incorporated, until repealed by the new corporation.

CHAPTER 52.

An Act respecting the Town of Fort William, 1901.

Assented to 15th April, 1901.

WHEREAS the Municipal Corporation of the Town of Fort William has represented that under the authority of By-law No. 196 of the said town, passed on the 24th day of January, 1899, the said corporation has issued debentures to the amount of \$5,000, for the maintenance and repairing of the streets of the said town; that under the authority of By-law No. 199 of the said town, passed on the 16th day of May, 1899, the said corporation has issued debentures to the amount of \$2,000, to acquire land for a market place and for the erection of buildings thereon; and that under the authority of By-law No. 205 of the said town, passed on the 12th day of September, 1899, the said corporation has issued debentures to the amount of \$25,000, for granting aid by way of a free site to William W. Ogilvie for the erection of a grain elevator and flour mill in the said town; and whereas each of the said by-laws provided for the payment of interest on the amount therein mentioned at the rate of 4 per cent. per annum; and whereas each of the said by-laws received the assent of the duly qualified ratepayers of the said municipality in manner as required by law; and whereas the said corporation has been unable to dispose of such debentures at par or to realize upon them except at considerable sacrifice owing to the low rate of interest they bear; and whereas the said corporation has by petition prayed that an Act may be passed empowering the council of the said corporation by by-law to amend each of the said by-laws and the debentures issued thereunder as aforesaid, by increasing the rate of interest of the said debentures, from four to four and a half per cent. per annum, and otherwise to amend each of the said by-laws, the debentures issued thereunder and the coupons attached to the said debentures, by making such alterations therein as may be necessary by reason of increasing the rate of interest as aforesaid; and whereas it has been made to appear that the said debentures have been hypothecated with the bankers of the said corporation as security for advances made thereon to the said corporation for which the said corporation is paying a high rate of interest and that the said bankers offer no objections to the prayer of the said petition; and whereas it has further been made to appear that all the members of the council of the said town for the year 1901 are in favour of the said petition,
and

and it appearing that no objection has been made to the council of the said corporation to the presenting of the said petition and the passing of this Act, and the said corporation having represented that it will be less expensive to obtain an Act than to pass a by-law with the assent of the ratepayers under the provisions of *The Municipal Act* for the purpose of amending the said by-laws, and further that such an Act would facilitate the sale of such debentures and would greatly enhance their commercial value; and whereas within the limits of the said town there are large tracts of vacant land; and whereas doubts have arisen as to the powers of the said corporation to pass a by-law or by-laws defining limits within the said town and prohibiting the running at large of cattle within the said limits, and to define other limits within the said town within which cattle may run at large; and whereas the said corporation has by the said petitions prayed that an Act may be passed empowering the council of the said corporation to pass a by-law or by-laws defining limits for the purposes aforesaid and to alter and amend such by-law or by-laws from time to time; and whereas it is expedient to grant the prayer of the said petition.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to
amend certain
money
by-laws.
Rev. Stat.
c. 223.

1. Notwithstanding anything in *The Municipal Act*, and amending Acts contained, the council of the corporation of the Town of Fort William is empowered with the concurrence of the holders of the debentures hereinafter referred to by by-law to amend each of the by-laws designated in Schedule "A" hereto, and the debentures issued thereunder by increasing the rate of interest in the said by-laws and debentures provided for, from four to four and one-half per centum per annum, and otherwise to amend each of such by-laws, the debentures issued thereunder and interest coupons attached thereto, by making such alterations therein as may be necessary by reason of increasing the rate of interest provided for in the said by-laws and debentures as aforesaid.

Restraining
the running
at large of
animals.
Rev. Stat.
c. 272.

Rev. Stat.
c. 272.

2. The Council of the said Corporation of the Town of Fort William is empowered to pass a by-law or by-laws defining limits within the boundaries of the said town and prohibiting the running at large of the animals enumerated in section 3 of *An Act respecting Pounds*, within the said limits, and defining other limits within the said town within which the said animals may be permitted to run at large and authorizing the impounding of any animal or animals permitted to run at large contrary to the provisions of any such by-law, or the dealing with such animal or animals or the owner or owners thereof in such other manner as may be provided in *An Act respecting Pounds*, and from time to time to repeal, alter
or

or amend any such by-law or by-laws within the powers hereby conferred.

3. The Council of the said Corporation of the Town of Fort William is hereby empowered to extend the time for the completion of the works referred to in the contract between the said corporation and Edward Spencer Jenison and set out in schedule "A" to the Act passed in the 62nd year of the reign of Her late Majesty and chaptered 120, to such time or times as the said council in its discretion may determine.

Power to
grant exten-
sion of time
to E. S. Jeni-
son.

SCHEDULE A.

By-law No. 196, passed 24th January, 1899.

To raise by the issue of debentures the sum of \$5,000 for the maintenance and repair of the streets in the Town of Fort William.

By-law No. 199, passed 16th May, 1899.

To raise by the issue of debentures the sum of \$2,000 to acquire land for a market place and for the erection of buildings thereon in the said Town of Fort William.

By-law No. 205, passed 12th September, 1899.

To raise by the issue of debentures the sum of \$25,000 for granting aid by way of a free site to William W. Ogilvie for the purpose of a grain elevator and flour mill in said Town of Fort William.

CHAPTER 53.

An Act to consolidate and re-arrange the Debenture Debt of the City of Guelph.

Assented to 15th April, 1901.

Preamble. **W**HEREAS, the Corporation of the City of Guelph has by petition represented that the debenture debt of the said city on the 31st day of December, 1901, was \$507,400 exclusive of the amount of local improvement debentures, which said sum becomes due and payable as follows:

1901	\$14,500
1902	14,600
1903	14,900
1904	15,100
1905	15,400
1906	5,800
1907	6,200
1908	12,100
1909	1,600
1910	18,000
1911	7,700
1912	2,500
1917	244,000
1918	20,000
1919	33,000
1920	12,000
1921	30,000
1923	40,000
	<hr/>
	\$507,400

And whereas it has been made to appear that the said indebtedness was incurred largely in providing a system of water works for the said city, in investing in railway debentures now held by the said city, in erecting and extending the collegiate institute and public schools of the said city, and in improving the said city by public works and buildings; and whereas it would be conducive to the welfare and interests of the said city, as well as greatly facilitate its financial arrangements, to place the debenture debt of the City of Guelph on a more satisfactory basis, both as to the payment thereof and otherwise; and whereas it has also been made to appear that it is desirable to issue, sell and dispose of new debentures to the amount of \$507,400 to enable the said city to redeem the aforesaid debentures which are now outstanding, and that it is also desirable that the corporation should be empowered to establish a sinking fund to be called the "general sinking fund," for the purpose and upon the terms in this Act contained,
and

and whereas it has also been made to appear that the sum of \$110,000 of the sinking fund now on hand will, with the accumulations therefrom and the amounts to be annually levied as hereinafter provided to form part of the said general fund, be sufficient to redeem the principal money of the new debentures to be issued and pay all interest on the city's whole debenture debt; and whereas it will be conducive to the well-being of the inhabitants of the said city and to the prosperity of the said city to permit the said city to apply the balance of the present sinking fund not required as aforesaid, in the construction of a system of sewerage in the said city; and whereas it has also been made to appear that holders of the said existing debentures to a considerable amount approve of the said petition; and whereas no opposition whatever has been offered to the said petition; and whereas it is expedient to grant permission to consolidate the said debt and issue new debentures and make other provisions in the premises upon the terms and with the safeguards hereinafter in this Act contained;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the City of Guelph may from time to time pass a by-law or by-laws for authorizing the issue of and may issue new debentures of the said city to an amount not exceeding in the aggregate the sum of \$507,400 for raising by way of loan and may from time to time raise by way of loan upon the credit of such new debentures a sum or sums of money not exceeding in the whole the sum of \$507,400 of lawful money of Canada for the purpose of paying or redeeming the debentures firstly in the preamble of this Act mentioned, and the said new debentures to be issued from year to year, to amounts not exceeding in any year the amounts of the present debentures as specified in the preamble hereof.

Power to issue
debentures for
\$507,400.

2. The new said debentures shall be payable in thirty years from the day of the date of the respective issues thereof at any place in Canada, Great Britain, the United States of America or elsewhere, and may be payable in any currency, and such new debentures shall be in sums of not less than \$100 Canadian currency or £20 sterling.

Term of
debentures.

3. The said new debentures shall be under the common seal of the said city, and signed by the mayor and countersigned by the treasurer of the said city, and may be in the form or to the effect of Schedule 'B' to this Act, or as near thereto as the corporation may find convenient, according to the places where and the money in which the same are made payable.

Form of
debenture.

4. Coupons shall be attached to the said new debentures for the payment of the interest thereon at such rate not exceeding

Interest.

ceeding $3\frac{3}{4}$ per centum per annum as to the said corporation may seem meet, and such interest shall be payable half-yearly in each and every year at the places and on the days mentioned therein, and the coupons attached thereto.

Application
of proceeds

5. The said new debentures and any and all moneys arising therefrom shall be applied by the said corporation in the redemption of the debentures of the said City of Guelph firstly mentioned in the preamble to this Act, hereinafter called the old debentures, and in no other manner and for no other purpose whatsoever.

Special rates.

6. From and after the first day of January, 1901, the said corporation shall, in place of the rates required to be levied under existing by-laws providing for the issue of the debentures in the preamble hereof mentioned, cause to be annually raised, levied and collected upon the whole of the then rateable or assessed property of the said corporation the several sums in each year set forth in Schedule "C" to this Act, and such sums shall be applied, in the first place, in payment of the interest on all the existing old debentures of the said corporation (exclusive of local improvement debentures) and of the interest on all the new debentures to be issued under the authority of this Act which may from time to time be existing; and, in the second place, any balance remaining after satisfying the said interest shall be applied towards the general sinking fund hereinafter mentioned; the said several sums to be so raised by a rate of so much on the dollar as shall be sufficient to produce in each year the amounts set forth in the said Schedule "C," and after the first day of January, 1901, it shall not be necessary to raise or levy the rate or rates provided under the by-laws of the said corporation or under the special Acts of the Legislature under which the said old debentures were severally issued.

Application of
existing
sinking fund.

7. The said corporation shall carry the sum of \$110,000 of the present sinking fund account to the credit of a general sinking fund account hereby established for the redemption of the principal money of the new debentures to be issued hereunder, and the said corporation shall apply to such sinking fund account from time to time so much of the sums to be yearly raised as set forth in the said Schedule "C" as shall not be required to pay the said annual interest on the old and new debentures from time to time existing against the said municipality, and shall also apply to the said general sinking fund account all interest from time to time received upon the debentures or other securities held for such fund and shall invest the same as hereinafter mentioned, and with respect to the balance of the present sinking fund account, being the sum of \$51,634, the said corporation shall have power to apply the same towards the construction in the city
of

of a system of sewers, and to no other purpose, when any such system on the local improvement plan or otherwise shall have been adopted by the council of the said city with the approval of the electors entitled to vote on by-laws creating debts under the provisions of *The Municipal Act*.

Rev. Stat.
c. 223.

8. The said corporation shall have power to invest any moneys standing at the credit of the general sinking fund created under this Act, in the purchase and redemption of the said new debentures or any of the said old debentures at any time previous to the maturity of any such debentures; provided always that in every such case the said corporation shall continue to levy and provide and apply as aforesaid from year to year the annual sums set forth in the said Schedule "C" in the same manner precisely as if such debentures had not been so purchased or redeemed. No moneys of the general sinking fund created under this Act shall be invested otherwise than in the debentures of the said corporation without the sanction of the Lieutenant-Governor in Council, provided nothing herein shall prevent the investment temporarily in proper securities of part of the said general sinking fund until such time as debentures of the said corporation shall be available for purchase hereunder. Any debentures or other securities in which the general sinking fund may be invested may be sold and converted into money in order that it may be used and applied according to this Act.

Investment of
sinking fund
moneys.

9. The money or securities belonging to such general sinking fund account shall on no account be used or applied by the said corporation or the treasurer thereof for any other purposes than those authorized by this Act.

Sinking fund
to be applied
to other
purposes.

10. The corporation shall be bound to make good and provide in each year out of the general revenue of the said city for such year, the difference (if any) that may arise in such year between the interest that shall accrue on the invested general sinking funds and the interest which should accrue on such funds calculated at the rate of $3\frac{1}{2}$ per centum per annum, and place the same at the credit of the said general sinking fund account.

Providing
difference
revenue from
rates and
investments
of sinking
fund.

11. Notwithstanding the provisions of *The Municipal Act*, it shall not until the expiration of the year 1948, be lawful for the Council of the Municipal Corporation of the City of Guelph to assess, levy or collect in any one year on the whole rateable property within the said city a rate higher in the aggregate than fifteen mills on the dollar on the assessed value thereof, exclusive of the school and local improvement rates and the amounts set forth in schedule "C" hereof shall be a first charge on the rates so to be levied

Rates not to
be higher than
fifteen mills.

Expenses consequent on Act.

12. All expenses attending the sale or negotiation of the new debentures to be issued under this Act and all discounts thereon (if any) shall be paid out of the general revenue of the said city in the year of, or the year succeeding, such sale or negotiation.

Assent of electors not required.

13. The by-law or by-laws of the said corporation passed under the authority of this act shall not require to be submitted to or have the assent of the electors of the said city before the final passing thereof, and it shall be sufficient if any such by-law be in the form or to the effect of the form in Schedule "A" to this Act set forth notwithstanding any provisions of *The Municipal Act*.

Rev. Stat. c. 223.

Informalities not to invalidate debentures.

14. No irregularity in the form of the said debentures or of the by-laws authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount of the said debentures or interest or any or either of them or any part thereof.

Purchasers not bound to see to application of proceeds.

15. The purchaser of any of the debentures which shall be issued under the authority of this Act shall not be bound to see to the application of his purchase money, and any of the said debentures, which shall purport to have been issued under the authority of this Act shall be conclusively presumed in favour of the purchaser thereof to have been so issued.

Short title.

16. This Act may be known as *The Guelph Debt Consolidation Act, 1901*.

SCHEDULE A.

FORM OF BY-LAW. THE CORPORATION OF THE CITY OF GUELPH.

A by-law to authorize the issue of \$ debentures under the authority of "The Guelph Debt Consolidation Act, 1901."

Whereas it is necessary to raise a loan of \$ for the purpose of paying off and redeeming outstanding debentures of the corporation of the City of Guelph, under the provisions of "The Guelph Debt Consolidation Act, 1901 ;"

Be it therefore enacted by the municipal council of the corporation of the City of Guelph :—

1. The mayor and treasurer are hereby authorized and directed to borrow, on the credit of the said corporation, under the authority of the said Act, and for the purposes hereinbefore mentioned, the sum of \$, and to issue the debentures of the said corporation for such purpose to the amount aforesaid.

2. The said debentures shall be payable in manner following, that is to say, in thirty years from the issue thereof, and at

3. The said debentures shall bear interest at the rate of per cent. per annum, payable half-yearly on the days of and in each year during the currency thereof, and shall have

SCHEDULE

coupons attached for the payment of the interest.

4. The said debentures shall be drawn in sums of not less than \$100 Canadian currency, or \$20 sterling money of Great Britain, and may be made payable in Canadian currency, sterling money of Great Britain or any other currency.

5. The proceeds of the loan hereby authorized to be effected and of the debentures hereby authorized to be issued shall be applied for the purposes mentioned in the said Act and for no other purpose whatsoever.

Passed in open council this day of A.D., 1901.

(L.S.)

A. B.,
Mayor.
C. D.,
Clerk.

SCHEDULE B.

FORM OF DEBENTURE.

No. £ sterling, \$, Province of Ontario,
City of Guelph.

Under and by virtue of the Act passed in the first year of the reign of His Majesty King Edward the Seventh, known as "The Guelph Debt Consolidation Act, 1901," and by virtue of By-law No. of the corporation of the City of Guelph, passed under the powers contained in the said Act;

The corporation of the City of Guelph promises to pay the bearer at
or , in the sum of pounds sterling
dollars Canadian currency, on the day of
A.D., 19 , and the half-yearly coupons hereto attached as the same shall
severally become due.

(L.S.)

A. B.,
Mayor.
C. D.,
Treasurer.

SCHEDULE C.

AMOUNTS TO BE LEVIED IN EACH YEAR

1901	.....	\$26,292 00
1902	.....	25,965 75
1903	.....	25,637 25
1904	.....	25,302 00
1905	.....	24,962 25
1906	.....	24,615 75
1907	.....	24,485 25
1908	.....	24,328 31
1909	.....	24,124 50
1910	.....	23,880 54
1911	.....	23,800 25
1912	.....	23,748 95
1913	.....	23,740 00
1914	.....	23,740 00
1915	.....	23,740 00
1916	.....	23,740 00
1917	.....	23,740 00

1918.....	21,065 00
1919.....	20,957 92
1920.....	20,253 00
1921.....	20,152 50
1922.....	20,277 50
1923.....	19,194 50
1924.....	19,027 50
1925.....	19,027 50
1926.....	19,027 50
1927.....	19,027 50
1928.....	19,027 50
1929.....	19,027 50
1930.....	19,027 50
1931.....	19,027 50
1932.....	18,483 75
1933.....	17,936 25
1934.....	17,377 50
1935.....	16,811 50
1936.....	16,233 75
1937.....	16,016 25
1938.....	15,732 19
1939.....	15,330 00
1940.....	14,631 96
1941.....	14,394 25
1942.....	14,240 55
1943.....	14,212 50
1944.....	14,212 50
1945.....	14,212 50
1946.....	14,212 50
1947.....	14,212 50
1948.....	4,686 50
1949.....	3,613 58
1950.....	3,637 50
1951.....	2,625 00
1952.....	1,500 00
1953.....	500 00

CHAPTER 54.

An Act respecting the Village of Hanover.

Assented to 15th April, 1901.

WHEREAS the Municipal Corporation of the Village of Hanover has by petition represented that The Knechtel Furniture Company, Limited, for many years carried on at the said Village of Hanover a large furniture manufactory employing over two hundred mechanics and workmen, and that the said company expended large sums of money in erecting, enlarging, maintaining, equipping and operating the said factory, and in paying the wages and other outgoings of the said business; that the said manufactory was on the 20th day of December, 1900, totally destroyed by fire, and the said mechanics and workmen, as a result, deprived of employment; that many of the said mechanics and workmen have not found employment, and many of them own property in the said village, and are desirous of resuming their former occupations; that in consequence of the said fire, real estate in the said village has greatly depreciated in value; that the said workmen and other citizens generally of the said Village of Hanover are desirous that the said furniture manufactory shall be rebuilt, and put into active operation again; that the said municipal corporation deem it expedient to grant the sum of \$10,000 as a bonus to the said company to assist them in rebuilding the said factory upon the terms and conditions contained in the agreement set out as Schedule "B" to this Act; that more than two-thirds of the ratepayers residing in the said village entitled to vote upon money by-laws, and other citizens of the said village, have requested by petition the municipal council of the said corporation to take the necessary steps to obtain authority to assist the said company, as aforesaid, and for such purpose to apply for the passing of this Act; that the other persons and companies engaged in the manufacture of furniture in the said village are desirous that such assistance be granted to the said company; that the existing debenture debt of the said Village of Hanover for principal amounts to \$1,740, and that there are no arrears of principal or interest in respect to said debenture debt and that the said municipal corporation has absolutely no floating debt; that the rateable property on the last assessment roll of said village amounts to \$186,450 and that the granting of the said bonus would for its payment require an annual levy for principal and interest exceeding ten per cent. of the total annual taxation thereof; that the said municipal corporation

Preamble.
and

and the said company have provisionally entered into the agreement set out as Schedule "B" to this Act; and whereas the said village though having a population of about 1,600 was not incorporated as a village until during the year 1900, and since incorporation has not yet entered upon or begun to incur various classes of expenditure which are commonly found in village municipalities, no expenditures whatever having been made on account of sidewalks, town hall, fire protection or police; and whereas it has been made to appear that on the basis of a normal expenditure for municipal purposes such as will be found necessary for meeting the necessities of the said corporation for payment of salaries of village officers and meeting expenditures which will become necessary for a town hall, sidewalks and other municipal works, fire protection, police and other purposes the amount required to be levied annually under the said by-law will in all probability not exceed ten per cent. of the total annual taxation; and whereas the existing debenture debt of \$1,740 was incurred for the purpose of erecting a school in the said village, and the said school is doing excellent work in having continuation classes; and whereas the case seems to be of a quite exceptional nature under the circumstances and comes substantially within the meaning of the provisions of *The Municipal Act* in that behalf; and whereas no opposition has been offered to the granting of the prayer of the said petition and whereas it is expedient to grant the prayer of the said petition:—

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to borrow \$10,000 to aid the Knechtel Furniture Co., Ltd.

1. It shall be lawful for the Municipal Council of the Corporation of the Village of Hanover to pass a by-law in the form or to the effect set out in Schedule "A" to this Act to enable the said corporation to raise by way of loan on the credit of the debentures of the said corporation a sum not exceeding in the whole \$10,000 for the purpose of aiding the said The Knechtel Furniture Company, Limited, to erect, maintain, equip and operate a furniture manufactory upon the former site of the factory burned down or within the limits of the said municipality, to exempt all the property of the said company covered by the agreement set out as Schedule "B" to this Act from taxation (except for school taxes), for a period of ten years from the completion of the said factory, and to fix the assessment of the property of the said company as referred to in the said agreement at \$2,500 for the year 1901, and at \$10,000 for each of the following nine years, and to give the said company free water as provided, and upon the terms and conditions contained in the said agreement, or upon such other terms and conditions as may be deemed advisable by the municipal council of the said corporation notwithstanding that the amount required to be raised annually for the payment of the said debentures to be issued under the said by-law and interest

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est thereon may exceed one-tenth of the total annual taxation of the said village.

2. The said by-law shall not be finally passed by the said council until the same shall have been submitted to and shall have received the assent of the ratepayers of the said village in the manner provided by *The Municipal Act* and amendments thereto with respect to by-laws for granting bonuses to manufacturing industries, and save as herein otherwise provided all the provisions of the said Act and amendments with respect to such by-laws shall apply to the said by-law of the Corporation of the Village of Hanover.

By-law to be submitted to ratepayers.

3. Subject to the assent of the ratepayers being obtained to the passing of the said by-law the said municipal corporation is authorized to enter into the said agreement with the said company and to do all acts necessary to carry out the same on the part of the said municipal corporation, and it shall be lawful for the said municipal corporation and the said company to modify the said agreement by any provision that will not increase the concessions proposed to be made by the said municipal corporation to the said company; and subject as aforesaid the said municipal corporation is authorized to take such security as the said municipal corporation may deem necessary or advisable for the due carrying out of the terms and conditions to be imposed by the said municipal corporation upon the said company, and upon the final passing of the said by-law, as provided for herein, the said agreement set out as Schedule "B" to this Act shall be legal, valid and binding upon the said municipal corporation and the ratepayers thereof and upon the said company, their successors and assigns.

Power to enter into agreement with company.

4. The said municipal council may in accordance with the provisions of the said by-law issue debentures of the said corporation in a sum not exceeding \$10,000, and raise money by sale or hypothecation of the said debentures. The said debentures shall bear interest at the rate of four and one-half per cent. per annum, and shall be repayable within twenty years from the date of issue, and so that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the said period of twenty years.

Power to issue debentures.

5. The said corporation shall levy in addition to all other rates to be levied in each year a special rate sufficient to pay the amount falling due annually for the principal and interest in respect of the debentures authorized to be issued under this Act; and it shall not be necessary to levy or to provide for a sinking fund to retire the said debentures or any of them.

Special rate for payment of debentures.

Mortgage to be deemed a mortgage on real estate.

Rev. Stat., c. 148.

6. The mortgage to be given pursuant to the said agreement by the said company to the said municipal corporation upon the site, buildings, plant and machinery of the said company, shall be deemed a mortgage of real property, and the said buildings, plant and machinery are declared to be real property and a part of the freehold; and the said mortgage shall not require to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act* and amending Acts.

SCHEDULE A.

BY-LAW NUMBER OF THE VILLAGE OF HANOVER.

A by-law to aid and assist The Knechtel Furniture Company, Limited, in rebuilding, equipping and operating a furniture factory in the said Village of Hanover. Passed 1901.

Whereas the said Village of Hanover has been and is recognized as a manufacturing centre for furniture.

And whereas owing to the destruction by fire of The Knechtel Furniture Company's factory a large number of mechanics and workmen employed in connection therewith have been thrown out of employment.

And whereas many of said mechanics and workmen still own property in said village, and are desirous of resuming their former occupations.

And whereas the said company have applied to the said corporation for aid by way of a bonus of the sum of \$10,000 to assist them as aforesaid, to exempt the property of the said company from taxation for a period of ten years, to fix the assessment of the property of the said company for ten years and to supply free water to the said company; which sum of \$10,000 is to be secured in the manner set forth in a certain indenture of agreement provisionally entered into by the said company with the said corporation.

And whereas it is deemed expedient by the said municipal council of the said Village to aid the said company in the manner set forth in said agreement.

And whereas the whole rateable property of the said municipality, according to the last revised assessment roll, amounts to \$186,450.

And whereas the amount of the existing debenture debt of the said municipality amounts to \$1,740, and there are no arrears of principal or interest in respect of the same.

Therefore the municipal council of the corporation of the Village of Hanover by virtue of the powers vested in them by an Act passed by the Legislature of the Province of Ontario in the first year of the reign of His Majesty King Edward the Seventh, Chapter , intituled "An Act respecting the Village of Hanover," and by virtue of the Municipal Act and amending Acts, enacts as follows :—

1. It shall and may be lawful for the municipal council of the said corporation of the Village of Hanover to aid The Knechtel Furniture Company, Limited, in the erecting, equipping and operating of the said furniture factory by the giving of a bonus of \$10,000 to the said company by exempting all the property of the said company covered by the said agreement from taxation (except for school taxes) for a period of ten years from the completion of the said factory, and by fixing the assessment

ment of the property of the said company as referred to in the said Agreement at \$2,500 for the year 1901, and at \$10,000 for each of the following nine years, and to give the said company free water as provided, and upon the terms and conditions contained in the said agreement.

2. If and when the assent of the electors of the corporation of the Village of Hanover who are entitled to vote hereon has been obtained hereto, and this by-law shall have been finally passed, the said agreement shall be valid and binding upon the parties thereto.

3. It shall be lawful for the said corporation for the purposes aforesaid to raise the sum of \$10,000 by the issue of debentures as hereinafter mentioned.

4. It shall be lawful for the purposes aforesaid for the reeve for the time being of this corporation to make and issue twenty debentures of the said municipal corporation to be made for the specified sums payable annually as hereinafter set forth with coupons attached for payment of interest at the rate of four and one-half per cent. per annum; and which debentures and interest shall be made payable on the thirty first day of December in each and every year during the continuance of the said debentures.

5. The said debentures shall be issued and disposed of by the reeve of this municipality when and as directed by resolution of the municipal council thereof, and the said debentures shall bear date the first day of January, 1902. And the purchaser of any of the said debentures shall not be required to see to the application of the purchase money thereof, or that the conditions of any agreement made or to be made between the municipal corporation of the Village of Hanover and the said The Knechtel Furniture Company, Limited, have been complied with, observed or performed, but such debentures and coupons shall be unimpeachable on any such grounds in the hands of any purchaser for value.

6. The principal and interest on said debentures to be issued under this by-law shall be payable within twenty years from the time of their issue, and both the said principal and interest shall be payable at the Agency of the Merchant's Bank of Canada at the said Village of Hanover.

7. There shall be levied and raised in each year by special rate on all the rateable property in the said Municipality a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debt as the same become respectively payable according to Schedule A of this by-law, incorporated herewith.

8. This by-law shall take effect on, from and after the passing thereof.

9. And it is further enacted by the said municipal council of the Village of Hanover that the votes of the electors of the said Village of Hanover shall be taken on this by-law by the Deputy-returning officers, hereinafter named, on the _____ day of _____

A. D., 1901, commencing at nine o'clock in the forenoon and continuing until five o'clock in the afternoon at the under-mentioned places: Ward _____ at the office of the Clerk of the Village of Hanover by _____ Deputy-returning officer.

Ward _____ at _____ by _____
Deputy-returning officer

10. On the _____ day of _____ 1901, at the hour of eleven o'clock, a.m., at the clerk's office in the said Village of Hanover, the reeve shall appoint two persons to attend at the final summing up of votes by the clerk, and one person to attend at each polling place, on behalf of the persons interested in and desirous of promoting the passing of this by-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

11. The clerk of the said municipal corporation shall attend at his office in the said Village of Hanover at the hour of eleven o'clock in the forenoon on the _____ day of _____ 1901, to sum up the number of votes given for and against this by-law.

12. The following is Schedule A of this by-law hereinbefore referred to:—

No. of Payment.	For the Year.	Amount for Principal.	Amount for Interest.	Total amount fo each Year.
1.	1902	\$318.76	\$450.00	\$768.76
2.	1903	333.10	435.66	768.76
3.	1904	348.09	420.67	768.76
4.	1905	363.76	405.00	768.76
5.	1906	380.13	388.63	768.76
6.	1907	397.23	371.53	768.76
7.	1908	415.11	353.65	768.76
8.	1909	433.79	334.97	768.76
9.	1910	453.31	315.45	768.76
10.	1911	473.71	295.05	768.76
11.	1912	495.02	273.74	768.76
12.	1913	517.30	251.46	768.76
13.	1914	540.58	228.18	768.76
14.	1915	564.91	203.85	768.76
15.	1916	590.33	178.43	768.76
16.	1917	616.89	151.87	768.76
17.	1918	644.75	124.01	768.76
18.	1919	673.66	95.10	768.76
19.	1920	704.18	64.58	768.76
20.	1921	735.39	33.37	768.76
		\$10,000.00	\$5,375.20	\$15,375.20

SCHEDULE B.

THIS IS SCHEDULE B REFERRED TO IN THE ABOVE "ACT RESPECTING THE VILLAGE OF HANOVER."

This agreement made in duplicate this eleventh day of February, in the year of our Lord one thousand nine hundred and one, between the Knechtel Furniture Company, Limited, hereinafter called the company of the first part; and the municipal corporation of the Village of Hanover, hereinafter called the corporation of the second part;

Whereas the said company of the first part has heretofore been carrying on the business of Wholesale Furniture Manufacturers at the said Village of Hanover.

And whereas their said factory was, on or about the Twentieth day of December, nineteen hundred, destroyed by fire.

And whereas it is deemed expedient by the said corporation to grant aid by way of a bonus of ten thousand dollars to the said company to assist them to rebuild, equip and operate a furniture factory upon the terms and conditions hereinafter provided and stipulated.

Now, therefore, this agreement witnesseth, and it is covenanted and agreed by and between the said company, their successors and assigns, and the said corporation, their successors and assigns, as follows:—

1. The said company agree that they will, on or before the 30th day of November, 1901, erect and build within the limits of the corporation of the Village of Hanover, and upon the site of the former factory burned down such buildings and other erections, and will put and place therein such machinery and plant as may be necessary to make the whole a modern, up-to-date and well equipped furniture factory of such character and capacity that to carry on the same will require the employment and services of at least one hundred and fifty workmen; said buildings and erections to be constructed of stone, brick or concrete, or any one or more of them, and such plant and machinery to be good serviceable plant and machinery in good order and repair and the value of said buildings with the said plant and machinery including site, sawmill and railway switch, and other existing appurtenances, to be of not less value than fifty thousand dollars.

2. The said company agree that they will properly maintain and operate and continuously operate and repair and keep in good working order and repair, the said furniture factory, plant and machinery at the said Village of Hanover for a period of twenty years from the first day of January, 1902, at least eleven months during each year of said term.

3. During the said term of twenty years, the said company agree to employ and keep continuously employed at the said factory and working solely in connection therewith and for the purposes of said manufactory at least one hundred men daily on an average from the first day of January, 1902, until the end of the year 1902 ; and to employ and keep continuously employed at the said factory and working solely in connection therewith and for the purposes of said manufactory at least one hundred and fifty men daily on an average during at least eleven months in each and every twelve months of the balance of the said term of twenty years.

4. The said company shall and will at any time twice in each year exhibit at the company's office in Hanover to the counsel of the said corporation or to such person or officer as they may appoint for the purpose of inspecting the same, all the books and pay rolls of the said company containing any entry in relation to the hiring of men for any portion of the twenty year term preceding that in which the demands shall be made.

5. The said company agree with the said corporation that the superintendent or local superintendent of said factory shall reside continuously during said bonus term at the said Village of Hanover.

6. By way of further securing the due fulfilment by the said company of the covenants and agreements herein by them to be performed and observed, the said company agree to execute and deliver to the said corporation in such reasonable form as may be approved of by the solicitor for said corporation a first mortgage for the sum of ten thousand dollars, in fee simple, free from all encumbrances, upon said lands, building, plant and machinery ; such building, plant and machinery to be as between the parties hereto real estate and fixtures, and to be incorporated in and covered by said mortgage ; the said mortgage to bear interest at the rate of five per cent. per annum and to contain the usual covenants contained in the ordinary short form of mortgages, the covenants and conditions contained in this agreement, and a covenant to insure and keep insured continuously throughout the said term of twenty years the said buildings, plant and machinery for the sum of \$10,000, and the loss, if any, payable to the corporation and a proviso that in default of any of the covenants of said mortgage or this agreement the said corporation may as therein provided enter on and lease or sell the said lands and premises, or foreclose as they may deem best.

7. The said mortgage and interest accrued thereon, upon the fulfilment of all the covenants and conditions herein contained on behalf of the said company, is to be considered paid and satisfied to the extent of five hundred dollars and interest on all then unsatisfied principal for every year in which all of the said covenants and conditions are fully and completely fulfilled and observed.

8. Any excess of employment of labor or excess of other covenants herein, shall not be considered as payment or part payment of said mortgage ; and the said factory shall be operated with the hands aforesaid during eleven months of each and every year of said term of twenty years ; and the hours of said workmen shall be at least eight hours daily.

9. And it is further agreed that the time, if any, during which the said factory or any portion of it is shut down owing to any strike or accident not attributable to the neglect or delay of the company shall not be deemed a breach of any of the covenants herein, if the said company shall proceed forthwith and with all possible diligence and despatch to repair and put in good running order again the said factory in all its departments or any one or more of them so stopped or shut down in consequence of such accident.

10. Upon a continued breach of any of the covenants or agreements herein contained on the part of the said company for a period of one month after notice thereof to the company, the said corporation may upon

upon one month's notice in writing enter *on and* take possession of the said premises, plant and machinery and proceed to foreclose, sell or rent the same as they may deem best from time to time; and the agreement herein on the part of *the* said corporation as to exemption from taxes and as to the fixed assessable value of the said company's property, shall thereupon become absolutely void and of no effect.

11. The value of *the* said buildings, site, saw-mill, plant, machinery, and appurtenances, is to be determined by the corporation's architect, or other officer or referee, to be appointed by the said corporation and the company's superintendent, or if they cannot agree to the appointment of a third arbitrator the matter is to be referred to the junior judge of the County of Grey, or his successor in office.

12. And the said company agree at their own expense to insure and keep insured continuously during the whole of *the* said bonus period of twenty years against loss or damage by fire, the said buildings, plant and machinery in insurance companies acceptable to the council of said corporation in the sum of \$10,000, and, in default the said corporation may insure the said building, plant and machinery, for the said sum of \$10, 000 in such insurance companies as they may think proper and charge the moneys paid for premiums thereon to the said company; and the said company shall make such insurance payable to the said corporation and shall assign, transfer and deliver over unto said corporation the policy or policies, receipt or receipts, thereto appertaining.

13. And the said company agree that in the event of the said premises or any part thereof, or the said plant and machinery or any part thereof being destroyed by fire at any time during the said term of twenty years, the said company shall proceed forthwith and with all possible diligence and despatch to erect and shall erect similar and as valuable buildings on the same site as those which were destroyed by fire, and place similar and as valuable good and serviceable plant and machinery therein, and as soon as the said furniture manufactory and the said plant and machinery is put in operation as aforesaid for a period of one week, the said corporation shall thereupon hand over and pay to the said company such insurance moneys as shall have come to the hands of the said corporation; and upon the re-erection of the said buildings and the placing therein of said plant and machinery, as aforesaid, the said company shall at their own expense place new policies of insurance upon the said buildings, plant and machinery for the said sum of \$10,000 with loss (if any) payable to the said corporation, and the said new insurance policies shall be procured and delivered over to the said corporation by the said company, and, in default thereof the said corporation may insure and charge the monies paid for premiums to the said company.

14. And the said company further agree that in the event of the said buildings comprising the said furniture factory, or any part thereof, covered by this agreement and the said mortgage or the said plant and machinery, or any part thereof, being destroyed by fire at any time during the said period of twenty years, and the said company not proceeding forthwith and with all reasonable diligence and despatch to rebuild, equip and operate, and to have the said furniture manufactory rebuilt, equipped, and put in full operation in all its departments as fully and completely as it was before said fire, within a period of not more than twelve months from the date of said fire, the said insurance moneys being the sum of \$10,000 shall thereupon become the absolute property of the said corporation, and the said corporation may retain the same solely and absolutely for themselves notwithstanding that *the* said mortgage may at the time of such fire have been liquidated or paid off by the said company to any extent and it is hereby further agreed that the amount of the said insurance money shall be and it is hereby agreed to be liquidated or ascertained damages suffered by the said corporation in consequence of the said company failing to carry out fully and completely all or any of the agreements contained in this clause and time shall be strictly of the essence of the agreements contained in this clause.

15. The said company may at any time during said term of twenty years replace any machinery or plant or the buildings so erected with
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good and serviceable machinery and plant and new buildings so long as the said acquired plant, machinery and buildings are of the same value as those they replace, and are bound and it is hereby agreed that they shall be bound by the said mortgage and by this agreement as a security for the due performance of the covenants therein and herein contained.

16. The said corporation shall in pursuance of the powers vested in them provide for the exemption during the term of ten years from the completion of said factory of the said site, buildings, plant and machinery of the said company covered by the mortgage herein mentioned, from all taxes (except school taxes), and the said corporation further agree (in so far as they are empowered) to fix the assessment of all the said property so covered by said mortgage, and of all subsequently acquired property of the said company to replace the same for the purpose of said factory, at an aggregate assessed value of \$2,500 for the year 1901, and \$10,000 a year for a period of nine years thereafter, subject however, to the conditions contained in clause "10" herein.

17. The said corporation further agree that the said company shall have the privilege of using water without charge from any system of waterworks established by the said corporation, for use in the said company's boilers, sprinklers and closets, in said factory, but such privilege shall be limited to furnishing such quantity of water at 7 a.m., 1 p.m. and 6 p.m. daily as shall be required or sufficient to fill the tank or tanks or other receptacle to be erected for the purpose of holding the same by the said company; and the said company shall at their own expense construct, repair and maintain, such tank or tanks or other receptacle as shall be necessary to store and hold such quantity of water as shall be required and requisite for use by the said company in their boilers, sprinklers and closets, in said factory: And when the waterworks system is established, said corporation shall bring a water-pipe or main to the street line opposite the company's buildings with a tee for connection, but the said company shall at their own expense construct, repair and maintain all necessary and requisite connections with said tee on or in said waterworks main, and said corporation shall also run a water-pipe on John Street from the Durham Road to Market Street with a hydrant on the south side of the Durham Road opposite the factory, and with a hydrant on the east side of John Street, near Market Street, and another hydrant on the east side of John Street half way between the Durham Road and Market Street, but the said corporation or any officer thereof shall not be responsible or liable for any damages for failure to supply such quantity of water or any part thereof by reason of accident to any portion of said waterworks system through breakage or other unforeseen cause so long as the said corporation shall proceed with reasonable diligence in repairing said waterworks system when it may be established. And it is further understood and agreed that unless such waterworks system be established, and that until the same be provided for, this agreement shall not be binding upon the company, said waterworks, being so far as the company is concerned, a condition of the contract.

18. The said corporation also agree to use their best endeavours to have a waterworks system established one month sooner than the time provided herein for the erection and completion of said factory.

19. Upon the erection of the said buildings and placing therein of the said plant and machinery and the operating of the said factory as provided for herein for one week, and upon showing to the satisfaction of the said architect, other officer or a referee appointed by the said corporation, vouchers and other evidences that the value of the said factory, including the site, saw-mill and factory buildings, machinery and plant appurtenances are of the aggregate value of \$50,000, and that said factory has been in operation for a period of one week, and upon the proper execution and delivery over of said mortgage and insurance policies, as aforesaid, by said company, then the said corporation shall pay over to the said company said bonus sum of \$10,000.

20. And notwithstanding anything hereinbefore contained, it is understood that the company are bound to have their factory completed as aforesaid

aforesaid on the 30th day of November, 1901, and running on the first day of January, 1902, only on the condition that the bonus of \$10,000, hereinbefore mentioned shall have been fully and completely provided for by the Legislature and by the vote of the people and council not later than the 30th day of March next, and on the condition that the putting in of a system of waterworks in the said village in such a manner and with proper equipment to afford reasonably good fire protection, be provided for by the *passing* of all necessary by-laws not later than the said 30th day of March next, and it is agreed that if the said bonus be not granted by the Legislature and by the vote of the people of the municipality, and of the council until a day subsequent to the said 30th day of March next, or if said waterworks be not *so* provided for until a day subsequent to the 30th day of March next, that then the said company shall be allowed one day after the 30th day of November next for the completion of said factory and one day after the first day of January, 1902, to commence to operate said factory for each and every day that the final passing of said bonus or waterworks by-laws or either of them shall be delayed after the said 30th day of March next, and said twenty-year period shall begin to run from said deferred date. And that in any event this agreement shall not be binding upon the said company unless that said bonus and waterworks be provided for as aforesaid within six months from the date hereof.

21. It is also hereby understood and agreed that the word "men" wherever it occurs or is used in this agreement shall be held to mean an adult man or boy not less than fourteen years of age.

22. And it is further agreed that wherever the word "Company" is used in this agreement, it shall be construed and taken to mean the said company, their successors, and assigns.

23. In case of any trouble or disagreement in connection with this agreement, other than those provided for herein, the matters in dispute shall be decided by the Junior Judge of the County of Grey, or his successor in office.

24. And it is further agreed by and between the said parties that if the Legislature of the Province of Ontario shall refuse to pass a special Act to enable the said corporation to submit a by-law to the electors of said village enabling the said corporation to borrow and issue debentures for the said sum of \$10,000 and to legalize this agreement, or in the event of the said by-law not being carried by a vote of said electors as provided for by said special Act, then this agreement shall be null and void and of no effect; otherwise to be in full force and effect and binding upon said parties.

In witness whereof the parties hereto have caused to be affixed their corporate seals, and the reeve and clerk of said corporation of the Village of Hanover and the President and Secretary-Treasurer of the said The Knechtel Furniture Co., Limited, have set their hands the day and year first above written.

Signed, sealed and delivered
in presence of

JOHN KLINCK,
JACOB MESSENGER,
JOHN KLINCK,
JOHN KLINCK,

(S'gd) D. KNECHTEL,
President.
(S'gd) J. S. KNECHTEL,
Sec'y-Treas.

{ Co'y
Seal }

(Sg'd) W. A. MEARNs,
Reeve.
(Sg'd) DUNC'N CAMPBELL,
Clerk.

{ Corp.
Seal }

CHAPTER 55.

An Act to enable the Corporation of the Town of
Hespeler to lease or sell certain lands.*Assented to 15th April, 1901.*

WHEREAS the Corporation of the Town of Hespeler has by Preamble.
petition shown that a certain plot of land in the said Town of Hespeler, and being composed of a portion of township lot number ten in the third concession of Richard Beasley's lower block of the Township of Waterloo, now within the Corporation of the Town of Hespeler, and being that portion of land lying between the River Speed, the Grand Trunk Railway and Avenue Street, in the Town of Hespeler, and containing by admeasurement five acres, be the same more or less, and more particularly described in a certain deed of conveyance dated the 1st of September, A.D., 1884, by John Harvey and others to the Village of Hespeler, was acquired by the Corporation of the Village of Hespeler for the purposes of a town hall, engine house, public park and other purposes; and, whereas, it is represented by the said Corporation of the Town of Hespeler that the said lands are not suitable for a public park, but are, or would be, valuable as manufacturing sites; and whereas doubt has arisen as to the power of the said corporation to dispose of the said lands; and whereas the said corporation has prayed that it may be enabled to lease, sell or dispose of the said lands; and, whereas it has been shown that certain portions of the said lands have been disposed of by the said corporation, acting under the belief that it had the power to dispose of the same; and whereas deeds of confirmation of these portions of the said lands so leased or disposed of have been applied for, and the said corporation is desirous of granting the same; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Corporation of the Town of Hespeler may dispose of the said lands in the manner in which lands no longer required by a town for a public park may be disposed of under the provisions of *The Municipal Act*; and the said corporation may by by-law or by-laws passed in accordance with the requirements

Power to lease
or sell lands in
Hespeler.

Rev. Stat.
c. 223.

requirements of *The Municipal Act* dispose of the said lands or of any portion or portions thereof by way of bonus.

Confirmation
of leases or
conveyances
heretofore
made.

2. Every lease or conveyance of any part of the said lands heretofore made by the said Corporation of the Town of Hespeler is confirmed.

CHAPTER 56.

An Act respecting the Town of Ingersoll.

Assented to 15th April, 1901.

Preamble.

WHEREAS, the Municipal Corporation of the Town of Ingersoll has represented that on the 14th day of September, 1899, the said municipal corporation and The St. Charles Condensing Company, entered into the agreement which is set out as Schedule "A" to this Act; that in order to raise the money required by the said municipal corporation to carry out its part of the said agreement, a by-law, being By-law No. 549 of the said municipal corporation was duly submitted to the ratepayers on the first day of January, 1900, and that the said by-law received a large majority of the votes of the ratepayers of the said corporation entitled to vote on money by-laws and was finally passed by the council of the said municipal corporation on the 5th day of January, 1900; that pursuant to the said agreement and to the intent of the said by-law the said municipal corporation purchased for the said company the factory site described in the said agreement and also purchased certain other lands from one Hugh McNiven and one Margaret McNiven upon a stream known as Marsden's Creek and which issues from the McNiven Springs referred to in the said agreement; that on the 7th day of August, 1900, the said municipal corporation passed a by-law, being By-law No. 557 of the said municipal corporation, confirming the purchase of the said last mentioned lands and authorizing the acquiring by the said municipal corporation of two-thirds of the water in the said stream; that the said municipal corporation has diverted the said stream to the said extent into a system of pipes for supplying the same to the said company; that the said company, pursuant to the said agreement, located their factory upon the said factory site, and expended about \$100,000 in permanent improvements within the said town, and all the terms of the said agreement have been carried out by both the parties thereto; that doubts have arisen as to the validity of the said agreement and of the said by-laws, by reason of the form in which the said By-law No. 549 was passed;

passed; and whereas the said municipal corporation has by petition prayed that an Act may be passed validating and confirming the said agreement and the said By-law No. 557; and whereas there is no opposition to the said petition; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The agreement made between The St. Charles Condensing Company and the Corporation of the Town of Ingersoll, dated the 14th day of September, 1899, and set out as Schedule A to this Act, is hereby legalized and declared to be valid and to be binding upon the parties thereto, their successors and assigns and upon all other parties interested therein, and the said corporation is hereby declared to have full power to enter into the said agreement, notwithstanding anything to the contrary in *The Municipal Act* contained, and the said parties thereto are hereby empowered to do all acts necessary to give effect to the same, and the said Corporation is hereby empowered to take possession of, acquire, hold, use and expropriate two-thirds of the water in the Marsden Creek, or such interests therein up to that amount as they may deem necessary to carry out the terms of the said agreement, making such compensation therefor as the lower riparian owners upon said stream may be entitled to, upon the same being determined under the arbitration clauses of *The Municipal Act* and all the sections of the said Act relating to expropriation and arbitration, and also the provisions of *The Municipal Arbitration Act* shall apply in determining the said compensation.

Agreement with St. Charles Condensing Co. confirmed.
Rev. Stat. c. 223.

2. The By-law of the Corporation of the Town of Ingersoll passed on the 7th day of July, 1900, being By-law No. 557, of the said corporation which said By-law is set out as Schedule "B" to this Act, is hereby confirmed and ratified and declared legal and valid, and the acquiring, expropriation and use by the said Corporation of two-thirds of the water in the said Marsden Creek for the purpose of supplying water to The St. Charles Condensing Company, pursuant to the said agreement, is hereby confirmed and declared to be legal.

By-law 557 confirmed.

3. In case of any difference arising as to the construction of said agreement or by-law or as to any matter or thing to be done under the terms or conditions thereof, such difference shall be determined by arbitrators to be appointed under and as provided by the arbitration clauses of *The Municipal Act*.

Differences to be settled by arbitration.
Rev. Stat. c. 223.

4. Nothing in this Act contained shall affect the agreement between the Corporation of the Town of Ingersoll and one C. N. Harris dated the 16th day of February, 1901.

Agreement with C. N. Harris not affected.

SCHEDULE

SCHEDULE A.

Memorandum of agreement, made this 14th day of September, 1899, between the Municipal Corporation of the Town of Ingersoll, of the first part, and the St. Charles Condensing Company, of the second part.

Whereas the parties of the second part have decided to erect a Factory at the Town of Ingersoll and have chosen as a site, five and one-half acres of land at the corner of King and Whiting street, being West of Whiting and North of King street in the said Town of Ingersoll,

And whereas the parties of the first part have agreed to give the said site to the said parties of the second part, free of expenses and also to supply them with water free of expense, and to pipe the same from the springs known as the McNiven springs to a reservoir, situate at or near the buildings of the said company on above named site.

And whereas the said party of the second part in consideration of the above, have agreed to build a factory on the said site as proposed,

Now this indenture witnesseth that in consideration of the premises and of the sum of one dollar now paid by the parties of the second part to the parties of the first part, the said parties of the first part, the Municipal Corporation of the Town of Ingersoll, hereby covenant and agree that the said site being five and a half acres situate at the corner of Whiting and King street in the said Town of Ingersoll, being West of Whiting and North of King street, and being part of Lot number twenty-two in the broken front concession of the Township of West Oxford, shall be deeded to the said party of the second part, or to whomsoever they may direct, free of all incumbrances, and that they will also have deeded to of the parties of the second part, free water for the use of the said parties the second part, to use at their said factory, up to two-thirds of the amount of water issuing from the McNiven springs, and that they will have the said water piped from the said springs to a reservoir at or near the buildings of the said factory, the location of which is to be decided upon by the parties of the second part, and shall at said point construct a concrete reservoir fifteen feet deep and forty feet square or of equal capacity, and hand the same over in good condition to the said parties of the second part; the parties of the second part, thereafter to keep the same in repair; the said line of pipes to be laid down, and the reservoir to be constructed under the supervision of the engineer of the parties of the second part; the parties of the first part, the said Town of Ingersoll, hereby covenant and agree to indemnify and save harmless the said party of the second part, or their assigns of and from any and all actions, claims or demands which may be made by any of the riparian owners on the said stream below the lands of the said McNiven, who may be damaged or injured by reason of the diversion of the said water as aforesaid, and that if necessary the said parties of the first part, at their own expense, will pipe the water back from the said Factory to the said creek, and deposit it therein, on, or immediately to the North of the said McNiven property; the said parties of the first part, also hereby agree to have a hydrant placed on the line of the Ingersoll Waterworks on King street opposite to the said Factory, and that they will also lay down for the use of the parties of the second part, at least ten inch pipe from said factory building to connect with the River Thames for the purpose of a sewer.

And the said parties of the second part hereby agree in consideration of the above, and the sum of one dollar, to immediately erect their factory at the town of Ingersoll on the said site as proposed.

As witness the hands and seals of the parties hereto and the corporate seal of the parties of the first part the Municipal Corporation of the Town of Ingersoll,

Signed, sealed and delivered,
in the presence of,

JNO. B. JACKSON,

WALTER MILLS, Mayor [Seal]
W. R. SMITH, Clerk
ST. CHARLES CONDENSING CO. [Seal]
HERBERT NICHOLSON, Mgr. [Seal]

SCHEDULE

SCHEDULE B.

By-law No. 557 of the Municipal Council of the corporation of the Town of Ingersoll in the County of Oxford.

Whereas it was deemed expedient and necessary for the said municipal council of the corporation of the Town of Ingersoll to acquire by purchase certain lands hereinafter described, and certain rights in and to a certain stream of water thereon for the purposes which the said corporation may from time to time determine, which said lands are hereinafter described, and which lands and stream are situate within three miles of the Town of Ingersoll aforesaid.

And whereas in pursuance of the same, the said corporation purchased from one Hugh McNiven, on the 12th day of October, 1899, certain lands, rights and privileges, which said lands are described as follows:

All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of West Oxford, in the County of Oxford, and being composed of part of park lot number one, on the easterly side of West street in Macklin and streets survey of part of lot number twenty three in the broken front concession of the Township of West Oxford, in the County of Oxford, which may be described as follows:

Commencing on the centre of the creek running north and south through said lands one hundred and fifteen feet, southerly following the creek from where the southerly limit of the Canadian Pacific Railway's lands on said lot number twenty-three, cross said creek; thence easterly two and one half rods; thence southerly parallel to said creek or spring, eight rods; thence westerly two and one half rods to the post planted in the centre of the said creek or spring; thence westerly on the same course two and one half rods to a post; thence northerly at a distance of two and one half rods from the said creek, eight rods to a post; thence easterly two and one half rods to the place of beginning, containing one quarter of an acre of land more or less, together with the right of way of ingress and egress to the said land from Ingersoll street in the said survey, along the line of covered pipes as shown on the annexed plan across said park lot number one and number two, and also the right and privilege of entering upon said lands, and laying and keeping in repair a line of covered pipes through and across the said lands as shown on the annexed plan, with full power to enter upon said right of way at any time, to build or repair the said pipes, or for the purpose of communication between the said street and the lands hereby purchased.

And also purchased on the eighteenth day of October, 1899, from Margaret McNiven, certain lands, rights and privileges, which said lands, rights and privileges are described as follows:

The right of way through and over part of park lot number two on the west side of Ingersoll street and south of the London gravel road in Macklin and Street's, survey of part of farm lot number twenty-three in the broken front concession of the Township of West Oxford in the County of Oxford, and Province of Ontario.

Which right of way is five feet wide on each side of the red line on the plan of said property hereto annexed, and extending from the westerly limit of said park lot number two to Ingersoll street; together with the right of ingress and egress to and from the said strip of land; also the right and privilege of entering upon the said strip of land and laying and keeping in repair the line of covered water pipes, to and across the said strip of land as shown on the annexed plan, with full power to enter upon the said right of way at any time to build or repair the said water pipes or for the purpose of communication between Ingersoll street aforesaid and the strip of land hereby granted.

Be it therefore enacted by the municipal council of the corporation of the Town of Ingersoll as follows:

1. That the purchase of the above mentioned lands, waters-rights and privileges by the said the municipal council of the Corporation of the Town of Ingersoll, from the said Hugh McNiven and Margaret McNiven above recited be and the same is hereby confirmed.

2. That the said corporation do acquire for such purposes as the said corporation may from time to time determine by purchase from the persons (if any) entitled to object thereto the right to divert and take from the stream running through the said lands, and flowing thence northerly into the River Thames so much, not exceeding at any time two-thirds of the waters thereof as the said corporation, its successors or assigns shall from time to time require. And that any moneys (if any) to be paid as compensation therefor, when determined in accordance with the Municipal Act or by-law of said corporation, be paid by the treasurer of the said corporation to the person or persons entitled thereto.

Passed in open council this seventh day of July, A.D. 1900.



(Sgd.) JUSTUS MILLER,
Mayor.

(Sgd.) W. R. SMITH,
Clerk,

CHAPTER 57.

An Act to confirm By-Law Number 66 of the Township of King.

Assented to 15th April, 1901.

WHEREAS the Municipal Corporation of the Township of King has petitioned that an Act may be passed to confirm and legalize By-law No. 66 of the said township, passed on the 25th day of September, 1897, and to ratify and confirm an agreement between the said municipality and The Schomberg and Aurora Railway Company, passed in pursuance of the said by-law, and further to ratify and confirm certain levies heretofore made by the said municipality under said by-law and for other purposes; and whereas The Schomberg and Aurora Railway Company has joined the said municipal corporation in requesting that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition, subject to the conditions hereinafter contained:

Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law No. 66 of the Municipal Corporation of the Township of King, set forth as Schedule "A" to this Act, is confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof, and the said Corporation of the Township of King is authorized and empowered to issue debentures thereunder as authorized by the said by-law within two years after the passing of this Act, and the debentures heretofore signed and executed and to be issued under the said by-law are declared legal, valid and binding upon the said municipality and the ratepayers thereof, and the said municipal corporation is authorized and empowered to do all acts necessary for the full and proper carrying out of the said By-law No. 66.

By-law 66 confirmed.

2. All rates heretofore levied or hereafter to be levied by the said municipality under the said by-law are legalized, ratified and confirmed, and the said municipality is authorized to levy such further rates as may be necessary in pursuance of the said by-law.

Rates heretofore levied under by-law validated.

Bonus to be conditional on completion within time limited.

3. Notwithstanding anything contained in the said agreement or by-law the bonus therein provided for shall not be paid to the said The Schomberg and Aurora Railway Company unless the said railway is commenced on or before the 15th day of May, 1901, and completed on or before the 1st day of October, 1901.

Agreement with Schomberg and Aurora Ry. confirmed.

4. The agreements between the Municipal Corporation of the Township of King and The Schomberg and Aurora Railway Company, set forth respectively as Schedules "B," and "C" to this Act, are ratified and confirmed and declared to be legal, valid and binding upon the parties thereto.

SCHEDULE A.

BY-LAW No. 66.

To raise by way of loan the sum of twelve thousand dollars for the purpose of giving a bonus to the Schomberg and Aurora Railroad Company, to assist the said company in building a railroad through part of the township of King.

1st. Whereas *The Consolidated Municipal Act of 1892* gives power to the council of every township to pass by-laws for granting bonus to any railway company in aid of such railway, and for issuing debentures for raising money to meet such bonuses.

2nd. And whereas a petition from a large number of the ratepayers has been presented to the council of the township of King praying that a by-law may be submitted to the ratepayers of a certain portion of the said township to raise the sum of twelve thousand dollars to be given as a bonus to the Schomberg and Aurora Railroad Company to assist in building a railroad from some point between King station and Newmarket on the Grand Trunk Railway to a point at or near the village of Schomberg.

3rd. And whereas it is desirable that the said sum of twelve thousand dollars be raised by way of loan upon the debentures of the township of King, chargeable upon the rateable property hereinafter mentioned, to be issued in such sums as may be deemed best, so that no such debenture shall be issued for a less sum than one hundred dollars; the said debentures to bear interest at the rate of four per centum per annum, and the said debentures for the principal sum of twelve thousand dollars to be payable in annual instalments during the period of fifteen years.

4th. And whereas the property to be charged with the due repayment of the principal and interest of the said debentures are described as follows, namely:—The west half of lots numbers nineteen to thirty-four, both inclusive, in the third concession; all township lots numbers seven to twelve, both inclusive, in the first, second and third concessions new survey; all township lots numbers nineteen to thirty-five, both inclusive, in the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth concessions, and all township lots numbers one and two in the new survey, all being in the township of King, in the county of York, and being the property to be especially benefited by the construction of the said railway.

5th. And whereas to provide for the payment of the annual instalments of principal and interest on the said debentures as the same shall fall due and be payable it shall be necessary to raise a certain specific sum annually for the due payment of such instalments during the currency of the said debentures and until they *all* respectively become due and payable as follows:—

In year 1898, for interest	\$480.00, and for principal	\$599.07.
" 1899	" 456.04	" 623.03.
" 1900	" 430.77	" 648.30.
" 1901	" 404.85	" 674.22.
" 1902	" 377.90	" 701.17.
" 1903	" 349.87	" 729.20.
" 1904	" 320.73	" 758.34.
" 1905	" 290.41	" 788.66.
" 1906	" 258.87	" 820.20.
" 1907	" 226.07	" 855.00.
" 1908	" 193.95	" 887.12.
" 1909	" 156.47	" 922.60.
" 1910	" 119.57	" 959.50.
" 1911	" 81.21	" 997.86.
" 1912	" 41.34	" 1037.73.

6th. And whereas the whole sum to be raised annually, by special rate upon the rateable property of the Township of King mentioned in preamble 4 of this by-law, for the purpose of paying off the said debentures as they fall due together with the annual interest thereon is the annual sum one thousand and seventy-nine dollars and seven cents over and above all other rates raised, levied and collected in the municipality of the Township of King.

7th. And whereas the amount of the rateable property mentioned in preamble 4 of this by-law according to the last revised assessment roll for the Township of King for the year 1897 is the sum of one million twenty-five thousand four hundred and twenty dollars.

8th. And whereas the amount of the existing debenture debt of the said corporation of the Township of King is for principal the sum of "nil."

9th. And whereas it is deemed advisable that the said debentures for the said principal sum of twelve thousand dollars shall be paid by annual instalments during the period of fifteen years from the day on which this by-law takes effect.

Now, therefore, the council of the corporation of the municipality of the Township of King, enacts as follows and it is hereby enacted :

1. That it shall and may be lawful for the corporation of the Township of King to raise by way of loan for the purposes hereinbefore mentioned, the sum of twelve thousand dollars.

2. That in order to raise the said sum of twelve thousand dollars the municipal council of the corporation of the Township of King shall issue debentures of the said corporation to the amount of twelve thousand dollars and interest to be sealed with the corporate seal and signed by the reeve and treasurer of the said municipality of the Township of King.

3. That no such debenture shall be less than one hundred dollars.

4. That the said debentures shall be payable during fifteen years from the date hereinafter mentioned for this by-law to take effect and shall be so payable on the first day of December in each year after the day when this by-law is to take effect, "except the first debenture which shall not be payable until December, 1898," at the Ontario Bank in Aurora and each such debenture shall be for the instalment of principal hereinafter set out and the interest at the rate of four per centum per annum due up to date of payment of such debenture upon all principal then unpaid and the first of such debentures to be payable on the first day of November, A.D., 1898.

5. That for the purpose of paying off the said debentures there shall be raised, levied and collected upon the rateable property of the west halves of lots numbers nineteen to thirty-four, both inclusive, in the third concession ; all lots numbers seven to twelve, both inclusive, in the first, second and third concessions, new survey ; all lots numbers nineteen to thirty-five, both inclusive, in the fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth concessions and all lots numbers one and two in the new survey, all being within the said corporation of the municipality of the Township of King, annually, over and above all other

rates

rates raised, levied and collected within the said municipality of the Township of King the following specific sums, namely :—

In year 1898, for interest, \$480 00 ; for principal, \$599 07		
“ 1899 “ 456 04 “ 623 03		
“ 1900 “ 430 77 “ 648 30		
“ 1901 “ 404 85 “ 674 22		
“ 1902 “ 377 90 “ 701 17		
“ 1903 “ 349 87 “ 729 20		
“ 1904 “ 320 73 “ 758 34		
“ 1905 “ 290 41 “ 788 66		
“ 1906 “ 258 87 “ 820 20		
“ 1907 “ 226 07 “ 853 00		
“ 1908 “ 191 95 “ 887 12		
“ 1909 “ 156 47 “ 922 60		
“ 1910 “ 119 57 “ 959 50		
“ 1911 “ 81 21 “ 997 86		
“ 1912 “ 41 34 “ 1,037 73		

Which said sums to be so raised annually will be sufficient to pay off the said debentures and discharge the said debt.

6. That the said amount to be raised annually to pay interest on the said debt, and the said amount to be raised annually to pay off the said debt make together the sum of one thousand and seventy-nine dollars and seven cents to be raised, levied and collected in each of the said years for fifteen years, which said annual sum shall be raised and levied in each of said years by a special rate sufficient therefor on all the rateable property of the said Township of King hereinbefore mentioned and described.

7. That the treasurer of the township of King shall pay the said debentures as they fall due, and upon maturity thereof, out of the fund hereby created and to be raised for that purpose, or out of any funds in his hands belonging to the said municipality without any other authority than this by-law.

8. That this by-law shall come into force and take effect on and after the 25th day of September, A.D. 1897.

9. That no part of the said bonus of twelve thousand dollars shall be paid to the Schomberg and Aurora Railway Company until the said company shall have built six miles of railroad in a manner satisfactory to and passed the inspection of the Dominion Superintendent of Railways, when six thousand dollars shall be paid, and the remaining sum of six thousand dollars to be paid over on the completion of the said railroad and passing and approval of same by the said Superintendent of Railways.

10. And be it hereby further enacted that the votes of the electors of the said township of King entitled to vote with respect to the property hereinbefore particularly mentioned and described, shall be taken on this by-law and recorded as by law directed at the places and on the days and times hereinafter mentioned, that is to say:—For Polling Subdivision No. 4, at Temperance Hall, Kettleby ; for Polling Subdivision No. 6, at Music Hall, Schomberg ; for Polling Subdivision No. 8, at Doyle's office, Lloydstown, on Thursday, the 9th day of September, A.D. 1897, commencing at the hour of nine o'clock in the forenoon and closing at five o'clock in the afternoon of the same day, and that Charles Patterson shall be returning officer and that Wm. E. Fox be deputy returning officer for taking the votes in Polling Subdivision No. 4. and Alex. Wilkinson be the deputy returning officer for taking the votes in Polling Subdivision No. 6, and Michael F. Doyle be the deputy returning officer for taking the votes in Polling Subdivision No. 8, on the eleventh day of September, 1897, and the office of the clerk of the said township at the hour of twelve o'clock noon are hereby fixed as the time and place and hour when and where the returning officer shall sum up the votes given for and against this by-law and declare the result of said vote.

The sixteenth day of August, A.D. 1897, at Harris' Hotel, Schomberg, at the hour of one o'clock p.m., are hereby fixed as the time and place and hour for the appointment of persons to attend at the various polling places,

places, and at the final summing up of the votes by the returning officer on b half of the persons interested in and promoting or opposing respectively the passage of this by-law.

Passed Sept. 25th, 1897.

(Sgd) CHARLES PATTERSON,
Clerk.

{ L. S. }

(Sgd) JAMES CHERRY,
Reeve.

I, Charles Patterson, clerk of the municipality of the township of King, do hereby certify the foregoing to be a true copy of the by-law passed by the municipal corporation of the township of King, entitled a by-law to grant a bonus of twelve thousand dollars in aid of the Schomberg and Aurora Railway Company.

Given under my hand and the seal of the corporation this 2nd day of January, 1900.

CHAS. PATTERSON,
Clerk.

SCHEDULE B.

Articles of agreement made and entered into this twenty-sixth day of March in the year of our Lord one thousand eight hundred and ninety-eight. Between The Schomberg and Aurora Railway Company hereinafter called the company, of the one part and the municipality of the Township of King hereinafter called the municipality, of the other part.

Whereas the company is empowered to lay out, construct and operate a line of railway from some point on the Northern Division of the Grand Trunk Railway of Canada between the stations known as King and Newmarket, to a point at or near the Village of Schomberg in the county of York.

And whereas a petition from a large number of the ratepayers of the municipality was presented to the council of the municipality, praying that a by-law might be submitted to the ratepayers of a certain portion of the municipality to raise the sum of \$12,000 to be given as a bonus to the company to assist in building the said railway.

And whereas, the said by-law, was after submission to the said ratepayers and adoption by them, duly passed on the 25th day of September, 1897, and the company is entitled to such bonus, payable as hereinafter set forth.

It is therefore agreed between the parties as follows :—

1. The company shall and will, well, truly and faithfully lay out, make, build, construct, operate and equip a line of railway of a uniform gauge at four feet eight and a half inches from some point on the northern division of the Grand Trunk between the stations known as King and Newmarket to a point at or near the Village of Schomberg, in the county of York.

2. The municipality in consideration of the premises hereby, covenants and agrees to pay to the company the sum of \$12,000 as follows :—

\$6,000, as soon as the company shall have built six miles of its line of railway and the same shall be certified to be satisfactory by the chief engineer of Government Railways or by an engineer approved by the Government and the remaining \$6,000 upon completion of the said line of railway, and upon the work upon said remaining portion being certified to be satisfactory by the said chief engineer or by an engineer approved of by the government.

3. The parties hereto covenant each with the other, that all such things shall be done and performed by them respectively as shall be necessary to fully carry into effect, the provisions of the said by-law and of this agreement.

4. In the event of legislation being applied for to confirm the said by-law and this agreement, the municipality will support such legislation.

In witness whereof this indenture has been executed by the respective parties hereto.

Signed, sealed and delivered
in presence of

M. F. DOYLE.

JAMES CHERRY,
Reeve.

CHAS. PATTERSON,
(Stamp) Clerk.

The Schomberg and Aurora Railway Company,

Witness,

W. A. WARREN,

C. D. WARREN,

THOMAS W. SLATTERY.

Secretary-Treasurer. President.

SCHEDULE C.

Memorandum of agreement made this second day of April in the year of our Lord, 1901.

Between The Schomberg and Aurora Railway Company hereinafter called the company, of the first part and the municipal corporation of the Township of King hereinafter called the corporation, of the second part.

Whereas the corporation did on the 25th day of September, A.D., 1897, pass a by-law known as By-law number 66 of said corporation, to raise by way of bonus the sum of twelve thousand (\$12,000) dollars towards the construction of the company's railway through the Township of King.

And whereas the corporation and the company entered into an agreement whereby the township agreed to pay the said sum upon the said company completing the said railway, but no time limit was specified in said agreement within which the said railway should be so completed.

And whereas the company have commenced but have not yet completed the railway so to be entitled to the said bonus under the said agreement.

And whereas the corporation have applied for legislation to legalize and confirm the said by-law, the said agreement, all levies made thereunder and to authorize the township to make future levies and for other purposes.

And whereas in consideration of the township obtaining legislation ratifying and legalizing the said by-law and authorizing the payment of the said twelve thousand (\$12,000) dollars in accordance with the said agreement that the company will proceed with the construction of the said railway not later than the fifteenth day of May, A.D., 1901, and complete same as hereinafter provided.

Now therefore this agreement witnesseth that in consideration of the premises, these presents and the sum of one dollar of lawful money of Canada now paid by the said corporation (the receipt whereof is hereby acknowledged) the said corporation and the company hereby agree each with the other as follows:—

1. The said corporation agree to obtain at the present sessions of the Legislature of the Province of Ontario, legislation confirming and legalizing the said By law number 66 in such manner and to such an extent as to enable the township to pay the said company the said sum of twelve thousand (\$12,000) dollars in pursuance of an agreement between them dated 26th day of March, A.D., 1898.

2. The said company, provided legislation be granted, will, unless prevented by strike of their employees or other absolutely unavoidable cause, on or before the 15th day of May, A.D., 1901, commence and thereafter continue actual construction of the said railway in addition to anything which has already been done on account thereof heretofore and shall proceed with such due and proper diligence and speed in the construction thereof that same shall have been duly constructed and equipped ready for operation on or before the 1st day of October, A.D., 1901.

3. The said company agree that they will pay or cause to be paid all costs of or incidental to the procuring of such legislation.

4. It is further agreed by and between the parties hereto that all steps taken in seeking the necessary legislation and the execution of this agreement

ment or the discussions, meetings or correspondence leading thereto shall be without prejudice to the rights of either the company or the corporation should such legislation be refused, and that both the said company and the said corporation in such case shall be in precisely the same position as they were prior to the application for such legislation or any steps leading thereto.

It is further agreed by and between the parties hereto that in case the said company should not complete the said railway within the time as herein specified the said company shall forfeit all and any rights which they may or might have under said By-law number "66" or said agreement or any legislation ratifying same.

Provided always, that the said company shall not be liable in any way to the said corporation for non-construction of said railway should they fail to obtain a re-vote of the Dominion subsidies already granted.

In witness whereof the said party of the first part has caused to be set the hand of its president and affixed its corporate seal, and the said party of the second part has caused to be set the hands of its reeve and clerk and affixed its corporate seal.

Signed, sealed and delivered }
in the presence of }
L. A. RYAN.

The Schomberg and Aurora Railway Co.

C. D. WARREN,

President. [Seal.]

The Corporation of the Township of King.

SIMEON LEMON,

Reeve. [Seal.]

CHARLES PATTERSON,
Clerk.

CHAPTER 58.

An Act to incorporate the Town of Kingsville.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Village of Kingsville, in the County of Essex, is rapidly increasing in population, owing largely to the establishment and operation in said village of manufacturing industries, employing many hands, and the influx of summer residents, and is an important business centre, with a good harbour, and contiguous to a rich and well settled farming community; and whereas the corporation of said village have, by their petition, represented that the incorporation of said village as a town would greatly promote its future progress and prosperity, and enable its inhabitants to make suitable regulations for the protection and improvement of property, and ensure to it a more beneficial, economical and efficient administration of its public affairs; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation
of town.

1. On and after the passing of this Act, the said Village of Kingsville shall be and is hereby constituted a corporation or body politic, under the name of "The Corporation of the Town of Kingsville," and shall enjoy and shall have all the rights, powers and privileges enjoyed and exercised by incorporated towns in the Province of Ontario, under the existing municipal laws of the said Province, except where otherwise provided by this Act.

Limits.

2. The said Town of Kingsville shall comprise and consist of the present Village of Kingsville.

Application of
R. v. Stat.
3.

3. The provisions of *The Municipal Act, 1897*, and amending Acts, respecting municipal institutions, with regard to matters consequent upon the formation of new municipal corporations, and the other provisions of the said Acts, shall, except so far as herein otherwise provided, apply to the said corporation of the Town of Kingsville, in the same manner as if the same had been erected into a town under the provisions of said Acts.

election.

4. On the last Monday of the month of December, 1901, it shall be lawful for William Albert Smith, or the clerk of the municipality

municipality for the time being, who is hereby appointed returning officer, to hold the nomination for the first election of mayor and councillors at the Town Hall, in the said Town of Kingsville, at the hour of noon, of which due notice shall be given, in the same manner as the same would be given if the said Town of Kingsville had been incorporated under the provisions of *The Municipal Act, 1897*, and he shall preside at the said nomination, or in case of his absence the electors present shall choose from among themselves a chairman to preside at the said nomination, and such chairman shall have all the powers of a returning officer, and the polling for the said election (if necessary) shall be held on the same day of the week next following the said nomination, and the returning officer or chairman shall, at the close of the nomination, publicly announce the place or places at which the polling shall take place.

5. The said returning officer by his warrant shall appoint a deputy returning officer for each of the polling sub-divisions into which the town is divided, and such returning officer and each deputy returning officer shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of the municipal laws of Ontario, applicable to returning officers, at elections in towns, in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to municipal elections in towns.

Appointment of deputy returning officers, etc.

6. The council of the said town, to be elected in manner aforesaid, shall consist of the mayor, who shall be the head thereof, and six councillors.

Council, how composed.

7. The mayor and councillors so to be elected shall hold their first meeting at the Town Hall, in the said Town of Kingsville, at ten o'clock in the forenoon of the same day of the week next following the polling, and if there shall not be any polling, on the same day of the week next following the nomination.

First meeting of council.

8. The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification now required by the municipal laws of Ontario, to be taken by persons elected or appointed to like offices in towns.

Declarations of office, etc.

9. At the first election of mayor and councillors for the said Town of Kingsville, the qualification of electors and that of officers required to qualify, shall be the same as that required in villages by the municipal laws of Ontario.

Qualification of officers and electors

10. The expenses incurred in obtaining this Act, and of furnishing any documents, copies of papers, writings, deeds, or any matters whatsoever required by the clerk or other officer of

Expenses of Ac.

of the said Town of Kingsville, or otherwise, shall be borne by the said town, and paid by it to any person entitled thereto.

By-laws, etc.,
continued.

11. All by-laws and municipal regulations which are in force in the Village of Kingsville shall continue and be in force as if they had been passed by the corporation of the Town of Kingsville, and shall extend to and have full effect within the limits of the town to be incorporated.

Property,
debts, etc.,
transferred
to town.

12. The property, assets, debts, liabilities and obligations of the Village of Kingsville shall belong to and be assumed and paid by the Town of Kingsville.

Officers
continued.

13. All officers of said Village of Kingsville shall continue to act, and have power as such, as officers of and within the Town of Kingsville, until the council of the said town shall otherwise order and direct.

Present
council.

14. From the passing of this Act until the election of mayor and councillors of said town, as aforesaid, the reeve and councillors of the said Village of Kingsville shall continue in office as the mayor and councillors of said Town of Kingsville.

Application of
revenue from
natural gas
works.

15. The said corporation shall, after the passing of this Act devote the revenue derived from its natural gas system, after payment of the operating expenses of the system and the expense of keeping up the supply of natural gas, to the payment and retiring of the outstanding debentures of the corporation and the interest thereon as the same shall from time to time fall due; and it shall only be necessary for the said corporation to levy in each year such a special rate in respect of the said debentures as shall be sufficient to raise the balance, if any, of the amount falling due in that year in respect of the said debentures after deducting the net revenue derived during that year from the said natural gas system and so applied as aforesaid.

CHAPTER 59.

An Act respecting the City of London.

Assented to 15th April, 1901.

WHEREAS the Municipal Corporation of the City of Preamble.
London in order to enhance the value of the debentures hereinafter referred to has, by petition, prayed for special legislation confirming the by-laws, debentures, and assessments hereinafter referred to; and whereas no objections have been raised to any of the said by-laws, and the time for moving against them has expired; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The by-laws of the Municipal Corporation of the City of London, specified in Schedule A hereto, and all debentures issued or to be issued thereunder and all assessments made or to be made for payment thereof are hereby confirmed and declared to be legal valid and binding. ^{By-laws confirmed.}

	limit of lot 6 south of Dundas street	146 03	73 02	73 01	10	4
1656	Cement sidewalk on the north side of Simcoe street, between William and Maitland streets	431 38	243 37	188 01	10	4
1657	Cement sidewalk on the west side of Talbot street, between Carling and Fullarton streets	375 56	217 97	157 59	10	4
1658	Cement sidewalk on the west side of William street, between the Hamilton road and Simcoe street	90 14	55 57	34 57	10	4
1659	Cement sidewalk on the west side of Waterloo street, between Dundas and King streets	309 31	203 81	105 50	10	4
1660	Cement sidewalk on the north side of Maple street, between Talbot and Richmond streets	506 01	283 06	222 95	10	4
1661	Cement sidewalk on the north side of Oxford street, between Waterloo and Colborne streets	520 37	310 34	210 03	10	4
1662	Cement sidewalk on the east side of St. George street, between College avenue and Grosvenor street	209 11	118 09	91 02	10	4
1663	Cement sidewalk on the east side of St. George street, between St. James street and College avenue	216 24	123 60	92 64	10	4
1664	Cement sidewalk on the north side of Ann street, between St. George and Talbot streets	356 02	187 53	168 49	10	4
1665	Cement sidewalk on the north side of Queen's avenue, between Park avenue and the Custom House lands	382 22	215 17	167 05	10	4
1666	Cement sidewalk on the east side of Waterloo street, between Piccadilly and Oxford street	285 58	183 08	102 50	10	4
1667	Cement sidewalk on the east side of Waterloo street, between Oxford and St. James streets	485 46	315 96	169 50	10	4
1668	Cement sidewalk on the south side of Cavendish street (otherwise Beach) between the Wharcliffe road and the easterly limit of lot 7, south of Cavendish (otherwise Beach) street	263 46	133 86	129 60	10	4
1669	Cement sidewalk on the east side of High street, between Maryboro' Place and Tecumseh avenue	176 64	89 06	87 58	10	4
1670	Cement sidewalk on the north side of Cavendish street (otherwise Beach), between the Warncliffe road and the westerly limit of lot 5 north of Cavendish (otherwise Beach) street	207 01	103 75	103 26	10	4
1671	Cement sidewalk on the north side of St. James street, between Colborne and Maitland streets	534 90	333 68	201 22	10	4
1672	Cement sidewalk on the north side of Grosvenor street, between William and Adelaide streets	421 38	223 15	198 23	10	4
1673	Cement sidewalk on the east side of High street, between Grand avenue and Maryboro' Place	332 29	166 15	166 14	10	4
1674	Cement sidewalk on the south side of York street, between Thames street and the River Thames	148 72	79 67	69 05	10	4
1675	Cement sidewalk on the north side of Horton street, between Talbot and Ridout streets	424 62	235 12	189 50	10	4
1676	Cement sidewalk on the east side of Ridout street, between Dundas and King streets	314 10	182 82	131 28	10	4
1677	Cement sidewalk on the east side of Talbot street, between G. T. Ry. and York street	210 15	123 10	87 05	10	4
1678	Cement sidewalk on the east side of Ridout street, between King and York streets	306 72	156 17	150 55	10	4
1679	Cement sidewalk on the east side of Clarence street, between Dundas and King streets	397 15	227 76	169 39	10	4
1680	Cement sidewalk on the south side of King street, between Clarence street and 310 feet three inches westerly therefrom	290 92	151 36	139 56	10	4
1681	Cement sidewalk on the south side of Ridgeway street, between Beecher street and the west limit of lot 52, south of Ridgeway street	371 73	217 54	154 19	10	4
1682	Cement sidewalk on the east side of Richmond street, between Horton and Simcoe streets	320 31	172 05	148 26	10	4
1683	Cement sidewalk on the east side of Talbot street, between Bathurst and Horton streets	321 86	173 31	148 55	10	4
1684	Cement sidewalk on the west side of Talbot street, between Bathurst and Horton streets	315 48	167 48	148 00	10	4
1685	Cement sidewalk on the west side of Maitland street, between Dundas street and Queen's avenue	282 83	165 84	116 99	10	4

SCHEDULE A.—Continued.

No. of By-law.	Nature of work under By-law.	Amount of debt created	Amount to be borne by City.	Amount to be borne by ratepayers.	Periods of payments.	Rate of Interest.
1686	Cement sidewalk on the north sde of Askin street, between the Wharnciffe Road and Cynthia street	338 22	223 70	114 52	10	4
1687	Cement sidewalk on the west side of the Wortley Road, between Beaconsfield avenue and Askin street	1,082 94	572 88	510 06	10	4
1688	Cement sidewalk on the north side of Tecunseh avenue, between Cathcart street and the Wortley Road	526 36	288 48	237 88	10	4
1689	Cement sidewalk on the north side of Arthur street, between William and Alfred streets	168 78	105 53	63 25	10	4
1690	Cement sidewalk on the east side of Cartwright street, between Princess and Dufferin avenues	204 85	121 95	82 90	10	4
1691	Cement sidewalk on the east side of Hellmuth avenue, between St. James and Grosvenor streets	386 57	215 91	170 66	10	4
1692	Cement sidewalk on the east side of Waterloo street, between Dundas street and Dufferin avenue	631 03	398 68	232 35	10	4
1693	Cement sidewalk on the north side of Queen's avenue, between English and Ontario streets	801 83	412 7	389 08	10	4
1694	Cement sidewalk on the south side of St. Patrick street, between Argyle street and 90 feet east- erly therefrom	60 27	32 31	27 96	10	4
1695	Cement sidewalk on the west side of Prospect avenue, between Princess and Dufferin avenues	475 56	302 26	173 30	10	4
1696	Cement sidewalk on the north side of Oxford street and the west side of Wellington street, between College avenue and Wellington's reet and Oxford and St. James streets	984 20	609 14	375 06	10	4
1697	Cement sidewalk on the east side of Prospect avenue, between Princess and Dufferin avenues	418 03	254 51	163 52	10	4
1698	Cement sidewalk on the West side of Waterloo street, between Piccadilly street and 274 feet south- erly therefrom	203 81	123 72	80 09	10	4
1699	Cement sidewalk on the east side of English street, between Dundas street and Dufferin avenue	426 79	252 82	173 97	10	4
1700	Cement sidewalk on the south side of Beaconsfield avenue, between the Wortley road and the westerly limit of lot 22 north of Victor street and south of Beaconsfield avenue	625 11	351 73	273 38	10	4
1701	Cement sidewalk on the west side of Warnciffe road, between Oxford street and the C.P.R. lands	297 58	156 84	140 74	10	4
1702	Cement sidewalk on the north side of Cheapside street, between Richmond and St. George streets	400 91	268 12	132 79	10	4
1703	Cement sidewalk on the east side of St. George street, between Oxford and St. James streets	466 46	332 84	133 62	10	4
1704	Cement sidewalk on the north side of Princess avenue, between Cartwright and Adelaide streets	1,385 65	842 12	543 53	10	4
1705	Cement sidewalk on the south side of Elias street, between Adelaide and English streets	767 78	414 94	352 84	10	4
1706	Cement sidewalk on the south side of Pall Mall street, between Maitland and William streets	521 80	327 09	194 71	10	4
1707	Cement sidewalk on the south side of Maple street, between Talbot and Ridout streets	315 44	182 04	133 40	10	4

1708	Cement sidewalk on the west side of Ontario street, between Queen's and Lorne avenues	401 54	224 66	176 88	10	4
1709	Cement sidewalk on the south side of Railway street, between the Wharnclyffe road and a point 465 feet westerly therefrom	235 05	132 05	103 00	10	4
1710	Cement sidewalk on the north side of Bruce street, between Ridout and Teresa streets	1,383 44	773 93	609 51	10	4
1711	Cement sidewalk on the east side of Richmond street, between Pall Mall and Piccadilly streets	1,383 44	773 93	609 51	10	4
1712	Cement sidewalk on the east side of Matland street, between Central avenue and Pall Mall street	561 16	336 60	224 56	10	4
1713	Cement sidewalk on the east side of Rectory street, between the Hamilton road and the G. T. Railway tracks	1,091 12	602 24	488 88	10	4
1714	Cement sidewalk on the north side of Horton street, between Clarence and Wellington street s.	377 29	194 19	183 10	10	4
1715	Cement sidewalk on the east side of William street, between Dundas street and Queen's avenue	374 85	231 30	143 55	10	4
1716	Cement sidewalk on the west side of Adelaide street, between the Hamilton Road and South street	674 89	434 60	240 29	10	4
1717	Cement sidewalk on the south side of King street, between Burwell and Maitland streets	308 68	172 25	136 43	10	4
1718	Cement sidewalk on the east side of William street, between Dundas and King streets	382 82	253 95	128 87	10	4
1719	Cement sidewalk on the south side of Euclid avenue, between the Wharnclyffe Highway and Birch street	550 41	277 18	273 23	10	4
1720	Cement sidewalk on the east side of Waterloo street, between St. James and Cheapside streets	853 30	492 12	361 18	10	4
1721	Cement sidewalk on the east side of Waterloo street, between Central avenue and Pall Mall street	547 71	326 37	221 34	10	4
1722	Cement sidewalk on the north side of Central avenue, between Richmond and Talbot streets	803 58	444 10	359 48	10	4
1723	Cement sidewalk on the east side of Lyle street, between Dundas and York streets	654 21	394 84	269 37	10	4
1724	Cement sidewalk on the east side of Colborne street, between Hill and South Streets	314 25	188 47	125 78	10	4
1725	Cement sidewalk on the south side of Piccadilly street, between Waterloo and Colborne streets	500 54	337 86	162 68	10	4
1726	Cement sidewalk on the west side of Ontario street, between Dundas street and Queen's avenue	222 91	129 28	93 63	10	4
1727	Cement sidewalk on the west side of Maitland street, between Hill and Gray streets	232 92	131 69	121 23	10	4
1728	Cement sidewalk on the north side of Central avenue, between Waterloo and Colborne streets	493 43	291 82	201 61	10	4
1729	Cement sidewalk on the north side of Briscoe street, between the Wortley Road and Cathcart street	618 87	337 86	281 01	10	4
1730	Cement sidewalk on the west side of Teresa street, between Askin street and Byron avenue	231 24	157 61	73 63	10	4
1731	Cement sidewalk on the west side of English street, between Lorne avenue and Dundas street	623 71	345 68	278 03	10	4
1732	Cement sidewalk on the south side of Carling street, between Richmond and Ridout streets	1,548 05	914 51	633 54	10	4
1733	Cement sidewalk on the north side of Pall Mall street, between Colborne and William streets	1,049 58	623 50	426 08	10	4
1734	Cement sidewalk on the west side of Edward street, between Elmwood and Duchess avenues	295 40	203 72	91 68	10	4
1735	Cement sidewalk on the south side of Lorne avenue, between Elizabeth and English streets	384 28	267 00	117 28	10	4
1736	Cement sidewalk on the east side of Cathcart street, between Elmwood and Duchess avenues	280 28	187 21	93 07	10	4
1737	Cement sidewalk on the east side of Marley place, between Bruce street and Elmwood avenue	380 19	203 35	176 84	10	4
1738	Cement sidewalk on the west side of Quebec street, between Dufferin avenue and Elias street	651 64	381 65	269 99	10	4
1739	Cement sidewalk on the west side of Rectory street, between Dundas and King streets	331 93	236 17	95 76	10	4
1740	Cement sidewalk on the north side of Queen's avenue, between Elizabeth and English streets	472 13	249 25	222 88	10	4
1741	Cement sidewalk on the east side of Elizabeth street, between Dundas street and Queen's avenue	246 80	160 66	86 14	10	4
1742	Cement sidewalk on the east side of Wellington street, between Hyman street and Central avenue	257 31	176 71	80 60	10	4

SCHEDULE A.—*Continued.*

No. of By-law.	Nature of Work under By-law.	Amount of debt created	Amount to be borne by City.	Amount to be repaid by ratepayers.	Period of Payments.	Rates of Interest.
1743	Cement sidewalk on the south side of Dundas street, between Ontario street and 291 $\frac{1}{2}$ feet east- erly therefrom	230 69	174 92	55 77	10	4
1744	Cement sidewalk on the north side of Dufferin avenue, between Park avenue and Wellington street	376 85	376 85		10	4
1745	Cement sidewalk on the south side of Hyman street, between Richmond and Wellington streets ..	242 04	242 04	159 88	10	4
1746	Cement sidewalk on the north side of Maple street, between Talbot and Ridout streets	302 98	183 40	119 58	10	4
1747	Cement sidewalk on the south side of Saunby street, between the Wharncliffe Highway and Gunn street	471 00	294 16	176 84	10	4
1748	Cement sidewalk on the north side of Empress avenue, between the Wharncliffe Highway and St. Andrew's street	202 87	155 40	47 47	10	4
1749	Cement sidewalk on the south side of Sydenham street, between Talbot and St. George streets ..	340 20	195 74	144 46	10	4
1750	Cement sidewalk on the east side of Talbot street, between Carling street and Queen's avenue ...	157 82	93 47	64 35	10	4
1751	Cement sidewalk on the north side of Dufferin avenue, between Waterloo and Cartwright streets ..	786 46	470 30	316 16	10	4
1752	Cement sidewalk on the west side of Park avenue, between Dufferin and Princess avenues	325 83	267 53	58 30	10	4
1753	Cement sidewalk on the south side of King street, between Rectory and Ontario streets	476 93	351 31	125 62	10	4
1754	Cement sidewalk on the west side of Wellington str. et, between Dufferin avenue and the southerly limit of Lot 16 west of Wellington street	180 70	121 17	59 53	10	4
1755	Cement sidewalk on the south side of John street, between Talbot and St. George streets	386 81	226 69	160 12	10	4
1756	Cement sidewalk on the west side of Colborne street, between Queen's and Dufferin avenues	304 40	183 43	120 97	10	4
1757	Cement sidewalk on the north side of Oxford street, between Talbot street and the westerly limit of lot 12, north of Oxford street	364 28	189 21	175 07	10	4
1758	Cement sidewalk on the north side of Bruce street, between Cynthia street and the Wharncliffe road	348 17	200 04	148 13	10	4
1759	Cement sidewalk on the east side of Adelaide street, between Hamilton road and Layard street ..	574 95	310 94	264 01	10	4
1760	Cement sidewalk on the north side of Central avenue, between William and Maitland streets	535 13	304 97	230 16	10	4
1761	Cement sidewalk on the north side of Grey street, between Wellington and Colborne streets	1,076 56	6 8 94	457 62	10	4
1762	Cement sidewalk on the east side of St. George street, between Piccadilly and Oxford streets	232 95	153 66	79 29	10	4
1763	Cement sidewalk on the south side of Fullerton street, between Ridout street and 8 feet west of Richmond street	718 76	419 43	299 33	10	4

1764	Cement sidewalk on the north side of Queen's avenue, between Talbot street and 72½ feet west of Richmond street	340 01	203 87	136 14	10	4
1765	Cement sidewalk on the west side of Wellington street, between Dundas street and Queen's avenue	436 26	307 63	128 63	10	4
1766	Cement sidewalk on the north side of Fullarton street, between Ridout street and 96 feet west of Richmond street					
1767	Cement sidewalk on the south side of King street, between William and Adelaide streets	732 36	409 07	323 29	10	4
1768	Cement sidewalk on the west side of Colborne street, between Hill and South streets	538 51	282 14	256 37	10	4
1769	Cement sidewalk on the west side of Colborne street, between York street and the G.T.R. tracks	257 37	166 99	90 38	10	4
1770	Cement sidewalk on the west side of Waterloo street, between Queen's avenue and Dundas street	133 28	71 85	61 43	10	4
1771	Cement sidewalk on the east side of Wellington street, between Piccadilly and Oxford streets	269 45	176 55	92 90	10	4
1772	Cement sidewalk on the south side of Dufferin avenue, between Waterloo and Pictou streets	276 64	200 92	75 72	10	4
1773	Cement sidewalk on the east side of Wellington street, between Grey and Hill streets	247 64	162 83	84 81	10	4
1774	Cement sidewalk on the east side of Argyle street, between Blackfriars' and St. Patrick's streets	416 05	258 03	158 02	10	4
1775	Cement sidewalk on the south side of York street, between Matland and Adelaide streets	507 05	354 41	152 64	10	4
1776	Cement sidewalk on the north side of the Hamilton road, between Matland and Horton streets	1,018 61	533 97	484 64	10	4
1777	Cement sidewalk on the south side of Grey street, between Waterloo and Colborne streets	252 81	149 49	103 32	10	4
1778	Cement sidewalk on the north side of King street, between Colborne and Burwell streets	539 18	299 46	239 72	10	4
1779	Cement sidewalk on the south side of Horton street, between Waterloo and Colborne streets	273 79	177 65	96 14	10	4
1780	Cement sidewalk on the north side of Talbot street, between Simcoe and Horton streets	535 98	314 84	221 84	10	4
1781	Tar Macadam pavement and concrete kerbing on Queen's avenue, between Matland and Adelaide streets	345 16	175 51	169 65	10	4
1782	Tile sewer on Piccadilly street, between Richmond and Waterloo streets	6,085 56	1,332 50	4,753 06	10	4
1783	Tile sewer on Colborne street, between York and King streets	2,184 23	433 40	1,750 83	10	4
1784	Tile sewer on Adelaide street, between Lorne avenue and 100 feet south of Dundas street	467 50	404 11	63 39	10	4
1785	Tile sewer on Waterloo street, between Pall Mall and Grosvenor streets, and on St. James street, between Waterloo street and Hellmuth avenue, and on Hellmuth avenue, between St. James and Grosvenor streets	2,144 94	446 36	1,698 58	10	4
1786	Tile sewer on Central avenue, between Wellington and Waterloo streets	6,312 96	1,279 26	5,033 70	10	4
1787	Tile sewer on Queen's avenue, between William and Adelaide streets	866 21	355 27	510 94	10	4
1788	Tile sewer on College street, between Oxford and St. James street	799 55	127 37	672 18	10	4
1789	Tile sewer on Colborne street, between Dundas and King streets	767 62	81 55	686 07	10	4
1790	Tile sewer on York street, between Burwell and Colborne streets	390 45	235 06	155 40	10	4
1791	Tile sewer on St. James street, between Hellmuth avenue and Richmond street	462 03	.....	462 03	10	4
1792	Trunk sewer on Pall Mall street, between Richmond and Wellington streets	902 47	214 68	687 79	10	4
1793	Trunk sewer on Pall Mall street, between Wellington and Matland streets	851 31	197 50	653 81	10	4
1794	Trunk sewer on Matland street, between Pall Mall street and Central avenue	2,935 61	448 28	2,487 33	10	4
1795	Trunk sewer on Central avenue, between Matland and William streets	1,049 86	876 47	173 39	10	4
1796	Trunk sewer on William street, between Central and Princess avenues	1,463 87	162 53	1,301 34	10	4
1797	Trunk sewer on Princess avenue, between William and Adelaide streets	1,175 86	412 68	763 18	10	4
		1,283 86	115 63	1,168 23	10	4

SCHEDULE A.—Continued.

No. of by-law.	Nature of work under by-law.	Amount of debt created.		Amount to be borne by city.		Amount to ratepayers.		Period of payments.	Rate of interest.
		£	c.	£	c.	£	c.	Yrs.	d.
1798	Trunk sewer on Adelaide street, between Princess and Lorne avenues.	510	00	156	27	353	73	10	4
1799	Trunk sewer on Lorne avenue, between Adelaide and Ontario streets.	3,762	20	815	84	2,946	36	10	4
1800	Trunk sewer on Ontario street, between Lorne and Queen's avenues.	974	60	442	79	531	81	10	4
1801	Trunk sewer on Queen's avenue, between Ontario and Quebec streets.	1,315	30	266	74	1,048	56	10	4
1802	Trunk sewer on Quebec street, between Queen's avenue and Dundas street.	663	00	90	81	572	19	10	4
1803	Trunk sewer on Dundas street, between Quebec and Egerton streets.	364	70	184	23	180	47	10	4
1804	Consolidating the broken amounts in the above by-laws numbered 1634 to 1803 inclusive.	99	721	88	44	104	71	55	617

* Various times.

CHAPTER 60.

An Act respecting the Town of Midland.

Assented to 15th April, 1901.

WHEREAS by the Act passed in the 62nd year of the reign of Her late Majesty, Queen Victoria (second session), chaptered 61, the Corporation of the Town of Midland was authorized to grant the sum of \$50,000 by way of bonus to The Canada Iron Furnace Company, Limited, for the erection of an iron smelting furnace at the Town of Midland: and whereas the said company has completed the erection of the said furnace and the same has now been in successful operation for some months; and whereas it was provided by the agreement set out in the schedule to the said Act that the company should use charcoal as a fuel in the manufacture of pig iron; and whereas it has been found necessary to substitute coke for charcoal; and whereas the said company has erected very much larger works of much greater capacity than was contemplated by the said agreement and has expended a much greater sum than was proposed; and whereas the municipal corporation has agreed to pay the said sum of \$50,000 upon the company undertaking to employ two hundred men in connection with its work and upon the company causing to be brought within the corporate limits of the Town of Midland the lands hereinafter described, the owner of the said lands consenting thereto; and whereas the said company and the municipal corporation have by their respective petitions prayed that an Act may be passed authorizing the said parties to amend the said agreement in the manner hereinafter indicated; and whereas the said municipal corporation has by supplementary petition represented that the said municipal corporation contemplates the construction of a system of water-works and sewerage in the Town of Midland, and has by the said supplementary petitions prayed that an Act may be passed authorizing the said municipal corporation to issue debentures extending over forty years for the payment of the cost of the same; and whereas there is no opposition to the said petition; and whereas it is expedient to grant the prayer of the said petitions:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. It shall be lawful for the Corporation of the Town of Midland to pay to The Canada Iron Furnace Company, Limited, the Town authorized to pay bonus

notwithstanding changes in works.

the sum of \$50,000 as provided for by the said Act, and the agreement set out in the schedule thereto, notwithstanding any changes, variations, alterations, delays or differences in the construction, erection, equipment, development or operation of the said iron smelting furnace.

Restriction as to kind of fuel abolished.

2. Notwithstanding anything in the said agreement contained the said company may use such fuel as they may deem advisable in the operation of the said furnace without incurring any penalty under the said agreement or any liability to the said municipal corporation for damages for a breach of the said agreement.

Number of persons to be employed in smelter.

3. There shall be employed in the work of the said iron smelting furnace and the other subsidiary works of the company an average of two hundred men during every working day as provided in the said agreement, and this section is substituted for clauses (c) and (d) of the second section of the said agreement, and shall be as binding upon the company as if it had been originally incorporated in the said agreement.

Limits of town extended.

4. The corporate limits of the Town of Midland are extended so as to include the following lands, which are declared to be a part of the said Town of Midland for municipal purposes, namely: Lot number one hundred and eleven (111) in the second concession of the Township of Tay, and all that part of lot number one hundred and twelve (112) in the second concession of the Township of Tay lying westerly and southerly of the road known as the Portage Road.

Agreement as amended confirmed.

5. Subject to the provisions of this Act, the said agreement set out in the schedule to the said Act passed in the 62nd year of the reign of Her late Majesty, Queen Victoria, chaptered 61, is confirmed and declared to be binding upon the said company and the said municipal corporation.

Issue of debentures for \$50,000 authorized.

6. It shall be lawful for the said municipal corporation to raise the said sum of \$50,000 by the issue of debentures as provided in the said Act, notwithstanding the said changes in the said agreement and no irregularity in the form of the debentures, or any of them, or any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said municipal corporation for the recovery of the amount of the said debentures, or interest, or any or either of them, or any part thereof, and a purchaser shall not be bound to inquire as to the issue of such debentures, or as to the application of the proceeds thereof.

Power to issue debentures for forty years for water-works and sewers.

7. It shall be lawful for the Corporation of the Town of Midland at any time within ten years from the passing of this Act to pass a by-law or by-laws for the issue of debentures

tures to such an amount as may be requisite for the purposes of constructing waterworks and a sewerage system or either of them, in the said Town of Midland; and the payment of the said debentures may, at the option of the council, be extended over a period of forty years, and may be issued in one sum or in such several sums as may be provided for in the said by-law or by-laws, notwithstanding any provisions of *The Municipal Act* to the contrary. Rev. Stat. c. 223.

8. No by-law or by-laws shall be passed under the preceding section until the same shall have received the assent of a majority of the electors of the said town who are entitled to vote in the case of by-laws for the creation of debts, in the manner required by *The Municipal Act* and amendments thereto, and save as otherwise provided by this Act all the clauses of *The Municipal Act* relating to by-laws for the creation of debts shall be read as applying to any debentures issued under the preceding section. Assent of electors.

9. No irregularity in the form of such debentures, or any of them, or in any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures, or interest, or any or either of them, or any part thereof, and a purchaser shall not be bound to inquire as to the issue of such debentures, or as to the application of the proceeds thereof. Irregularity in form of debentures not to invalidate.

10. The said waterworks and sewerage system may be constructed either at the same time or at different times within the said period of ten years, and either under the authority of one by-law or under the authority of different by-laws. Works may be constructed together or otherwise.

CHAPTER 61.

An Act respecting the Town of Niagara Falls.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Council of the Corporation of the Town of Niagara Falls has by petition represented that the said corporation has constructed a number of permanent sidewalks in the said town and has passed by-laws under the local improvement provisions of *The Municipal Act* for the issue of debentures to pay for the cost of the same ; and whereas the said corporation has represented that an Act validating the said by-laws and the debentures issued thereunder and the assessments made or to be made for the payment of the said debentures would facilitate the sale thereof and would greatly enhance their commercial value ; and whereas the said corporation has prayed that such an Act may be passed ; and whereas no opposition has been offered to the said petition ; and whereas it is expedient to grant the prayer of the said petition

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

By-laws
confirmed.

1. The by-laws of the Corporation of the Town of Niagara Falls specified in the schedule hereto and all debentures issued or to be issued thereunder, and all assessments made or to be made for the payment thereof are hereby validated and confirmed.

SCHEDULE.

List of by-laws providing for the issue of debentures, payable in twenty annual instalments bearing interest at four per cent., passed by the council of the corporation of the Town of Niagara Falls on the eleventh day of December, 1900, for the construction of concrete sidewalks, the particulars of which are set out below :

No. of by-law.	Nature of work under by-law.	Amount of debt created.
488	East side of Buckley avenue between Morrison street and Simcoe street.....	\$775 91
489	West side of St. Lawrence between Simcoe street and Morrison street	775 91
490	West side of Cataract avenue between Queen and Bridge.....	542 15
491	East side of St. Clair avenue between Simcoe and Queen	1,389 91
492	West side of St. Clair avenue between Queen and Ellis	1,023 21
493	East side of Welland avenue between Morrison and Queen	620 96
494	West side of Welland avenue between Morrison and Queen	640 59
495	South side of Huron street between Clifton and Welland	1,727 01
496	North side of Huron street between Clifton and Erie.....	319 31
497	West side of Ontario avenue between Queen and Simcoe.....	1,401 61
498	North side of Morrison street between Clifton and Buckley....	2,515 11
499	South side of Morrison street between Clifton and Buckley....	2,535 61
500	North side of Simcoe between River road and St. Clair.....	1,108 67
501	South side of Simcoe between River road and Victoria.....	2,773 62
502	North side of Queen street between Clifton and Erie.....	333 92
503	South side of Queen street between Clifton and Erie.....	342 37
504	West side of Clifton avenue between Park and Huron	683 12
505	East side of Clifton avenue between Park and Morrison	1,023 32
506	To consolidate into an issue of local improvement debentures the broken amounts named in by-laws Nos. 488 to 505 both inclusive	20,532 31
507	West side Erie avenue between Huron and Ellis.....	757 22
508	East side of Erie between Huron and Ellis	756 12
509	North side of Ellis between River road and M.C.R.R.	588 62
510	South side of Ellis street between River road and M.C.R.	570 17
511	South side of Bridge street between Erie and Arlington hotel..	536 72
512	North side of Huron between Ontario and Welland.....	939 62
513	West side of Clifton between Morrison and Huron	356 12
514	South side of Huron street between Clifton and River road ...	184 96
515	North side of Huron between Clifton and River road	192 67
516	West side of River road between Church and Queen.....	428 72
517	South side of Queen street between Clifton and Cataract.....	318 27
518	North side of Queen street between Clifton and Cataract.....	314 82
519	East side of Cataract between Queen and Bridge	692 92
520	West side of River road between Arch Bridge and Buttrey....	1,043 82
521	North side of Buttrey between River road and Terrace.....	294 72
522	South side of Bridge between Arlington and Welland	1,044 52
523	South side of Chestnut between Victoria and Fourth	1,439 82
524	North side of Chestnut between Victoria and Fourth.....	1,464 52
525	South side of Ellis between Ontario and St. Clair	469 22
526	North side of Simcoe between St. Lawrence and Victoria	771 82
527	North side of Ferry road between Victoria and River road....	1,477 22
528	West side of Victoria between Jepson and McRae's	533 52
529	East side of Victoria between Simcoe and Morrison	772 62
530	West side of Victoria between Oak and Bridge	1,019 92
531	South side of Maple between Victoria and First.....	349 62
532	To consolidate into an issue of Local Improvement Debentures the broken amounts named in by-laws Nos. 507 to 531 both inclusive.....	17,318 29

CHAPTER 62.

An Act to authorize the City of Ottawa to issue Certain Debentures.

Assented to 15th April, 1901.

WHEREAS the Corporation of the City of Ottawa has represented that since the consolidation of its debenture debt by the Act passed in the 41st year of the reign of Her late Majesty Queen Victoria, chaptered 37, and intituled "An Act to consolidate the debenture debt of the City of Ottawa," the said city has contracted debts by the issue of debentures for sums aggregating \$2,379,864.66, chiefly for works and properties of a permanent character intended to endure long beyond the present generation, and that the aggregate of the sums to be set aside annually to provide sinking funds for the said debentures, together with the other fixed charges and the costs of management of the said city absorb almost the entire present annual revenue of the said city; that by the disastrous conflagration which swept over the city last year a great portion of the city was destroyed, and the city has for the time being lost the revenue to be derived from taxation of the property so destroyed; that under and by virtue of the Act passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chaptered 80, the said city has borrowed on debentures the sum of \$100,000 which has been applied in the relief of the sufferers from the said conflagration in manner as by the said Act provided; that the said city has recently expended, and is now expending large sums of money in the construction of main sewers, the total amount of the cost of the works already undertaken in the said respect being estimated at \$505,000; that the said city has recently been called upon to pay the sum of \$150,000 by way of a bonus to the interprovincial bridge connecting the Provinces of Ontario and Quebec at the said city; that for these and other reasons the City of Ottawa finds itself unable to meet its present and immediately accruing liabilities; that the existing stringency is, however, of a temporary character, and is likely to be met by increased revenues and reduction in fixed charges after a term estimated at four years; that the corporation of the said city wishes to apply the moneys to be raised as herein provided, in the payment of a portion of the interest and sinking fund of the debentures now outstanding; that if authority were given to borrow the sums following, that is to say:

In the year 1901 the sum of \$75,000;

In the year 1902 the sum of \$55,000;

In

In the year 1903 the sum of \$40,000 ;
 In the year 1904 the sum of \$30,000 ;

the City of Ottawa would, at the expiration of the said period, be in a position to meet its then present and future obligations; that it is desired that authority be given to the said city to issue debentures to the amount aforesaid in each of the years aforesaid as more fully hereinafter set out; that the sum of \$75,000 authorized by the Act passed in the 60th year of the reign of Her late Majesty Queen Victoria, chaptered 71, to be raised for the purposes of enlarging and extending the water mains in certain streets of the said city and enlarging, extending and improving the pumping machinery and other appliances of the water-works of the said city, has proved to be insufficient for those purposes; and whereas the Corporation of the City of Ottawa has requested that authority be granted to the said corporation to issue debentures to the amount and for the purposes aforesaid; and whereas it appears that due and sufficient notice of the said application has been given to the ratepayers of the said city; and whereas it is expedient to grant the petition of the said corporation :—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :—

1. The Corporation of the City of Ottawa may issue debentures under the corporate seal signed by the mayor and countersigned by the treasurer of the said city for the time being, at any time during the years following, that is to say : Authority to city to raise money on debentures.

In the year 1901 to the amount of \$75,000 ;
 In the year 1902 to the amount of \$55,000 ;
 In the year 1903 to the amount of \$40,000 ;
 In the year 1904 to the amount of \$30,000 ;

or for such portion of such amounts as the said corporation may by by-law in each of the said years determine, and the principal sums secured by the said debentures and the interest accruing thereon may be made payable at such time or times, and at such place or places, whether in Canada, Great Britain, the United States or elsewhere, as to the said corporation may seem expedient, provided however, that the currency of none of the said debentures shall extend beyond a period of 40 years from the present year, 1901, and that all of the said debentures shall mature in the same year.

2. The said corporation may sell or dispose of the said debentures or any of them, from time to time, to any person or persons, body or bodies, corporate or politic, either in Canada, Great Britain, United States of America, or elsewhere, as to the the said corporation may seem expedient. Disposal of debentures.

Form of
debentures.

3. The said debentures may be expressed in sterling money of Great Britain or in the currency of Canada, and shall be in sums of not less than one hundred dollars, Canadian currency, or twenty pounds sterling, and may be in form given in Schedule "A" of this Act, or as near thereto as the said corporation may find convenient according to the places where, and the money in which the same are made payable. Coupons shall be attached thereto for the payment of the interest thereon and such interest shall be payable half yearly in each and every year at the places mentioned therein, and in the coupons attached thereto, and such debentures may bear interest at such rates as the municipal council of the said city at the date of issue thereof may determine.

Consent of
electors not
necessary.

4. It shall not be necessary to obtain the consent of the electors of the said city to the issue of the said debentures, or to the passing of any by-law directing the issue of the same or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat.
c. 223.

Irregularity
in form not to
invalidate
debentures.

5. No irregularity, either in the form of the said debentures or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest, or any or either of them, or any part thereof.

Application of
proceeds of
debentures.

6. The said sums to be raised as herein provided shall be applied in payment of the interest and sinking fund of the debentures now outstanding as such interest and sinking fund become due, and the rates to be levied for such interest or sinking fund shall be reduced to the extent to which the proceeds of the debentures authorized by section 1 of this Act are applied to such purpose.

Application of
general pro-
visions of
Rev. Stat.
c. 223.

7. Save as otherwise provided by this Act all the provisions of *The Municipal Act* with regard to by-laws for the creation of debts the issue of debentures therefor and the mode of repaying the same, and the levying of a special rate for the payment of the said debentures and interest thereon, or for the sinking fund or funds, if the by-law or by-laws passed under the authority of this Act provide for debentures being issued on the sinking fund plan and as to the accounts to be kept with reference to any debts so incurred, shall apply to any by-law or by-laws passed, and to any debentures issued under the authority of this Act.

Special rate.

8. Every by-law passed by the said Corporation under section 1 of this Act shall provide that there shall be annually raised, levied and collected by the said Corporation during the currency of the said debentures on the whole rateable property of the municipality a special rate sufficient for the payment

payment of the interest upon the debentures to be issued under such by-law and to provide a sinking fund sufficient with the estimated interest thereon at the rate of three per cent. per annum to provide for the payment of the said debentures as they fall due, notwithstanding that such rates will increase the aggregate annual rates to be levied in the said city beyond one and one-half cents on the dollar.

9. It shall be lawful for the Corporation of the City of Ottawa, for the purpose of completing the work of enlarging and extending the water mains in certain streets of the said city, and of enlarging and improving the pumping machinery and other appliances of the water works of the said city, which work has been commenced, but remains incomplete by reason of the sum authorized to be raised by the said Act of the 60th year of the reign of Her late Majesty being insufficient for that purpose, to pass a by-law or by-laws to authorize the issue of debentures of the said corporation for a sum of money not exceeding \$50,000 in such sums of not less than \$100 each, as the said corporation may deem expedient, which said debentures shall be made payable not more than 40 years from the day on which they shall respectively bear date, shall bear interest at a rate not exceeding 4 per cent. per annum, payable half yearly, shall be signed by the mayor and the treasurer of the said city for the time being, and may be made payable either in sterling money of Great Britain or currency of Canada, in Great Britain, in this Province, or elsewhere, as the said corporation of the said city may deem expedient, and the proceeds thereof shall be used for the purposes aforesaid and no other purpose.

Authority to
issue debentures to pay
the cost of
completing
waterworks.

10. For the payment of the debt and interest represented by the said debentures to be issued under the authority of the next preceding section of this Act, there shall be annually raised, levied and collected by the said corporation during the currency of the said debentures a sum sufficient to discharge the said debt and interest when the same shall be respectively payable, said sum to be raised by an annual special rate upon the amount of the rateable or assessable property of the said corporation according to the then last revised assessment roll thereof.

Special rates.

11. The by-law or by laws of the said corporation passed under section 9 of this Act, shall not require to be submitted to or have the assent of the electors of the said city before the final passing thereof.

Assent of
electors not
required.

SCHEDULE.

FORM "A."

Debenture No.

\$

Province of Ontario,

City of Ottawa.

Under and by virtue of the Act passed in the first year of the reign of His Majesty King Edward the VII, and chaptered and, by virtue of By-Law No. of the Corporation of the City of Ottawa, passed under the powers contained in the said Act, the Corporation of the City of Ottawa promises to pay to the bearer at in the sum of dollars on the day of A.D. and the half yearly coupons hereto attached as the same shall severally become due.

Mayor.

Treasurer.

CHAPTER 63.

An Act respecting the Town of Peterborough and the Village of Ashburnham.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Corporation of the Town of Peterborough and the Corporation of the Village of Ashburnham have by their respective petitions shown that by By-law No. 912 of the Town of Peterborough, passed on the 3rd day of December, 1900, set forth as Schedule "A" hereto, it was enacted, subject to the provisions therein contained and subject to the confirmation thereof by an Act of the Legislature, that certain lands therein described, in the Town of Peterborough, including all buildings, improvements, plant, machinery and factories now erected or hereafter to be erected thereon, should for the period of forty-two years commencing with the year 1901, in pursuance of the terms of the agreement with the American Cereal Company in the by-law in the said schedule set forth, be assessed en bloc in each year at the sum of \$58,700; and that by By-law No. 262 of the Corporation of the Village of Ashburnham, passed on the said date, set forth as Schedule "B" hereto, it was enacted, subject to the provisions therein contained and subject to the confirmation thereof by an Act of the Legislature,

Legislature, that certain lands therein described, in the Village of Ashburnham, including all buildings, improvements, plant, machinery, and factories now erected or hereafter to be erected thereon should for the period of forty-two years commencing with the year 1901, be assessed *en bloc* in each year at the sum of \$45,000, in pursuance of the terms of the agreement with the American Cereal Company, in the by-law in the said Schedule "B" set forth; and whereas it has been made to appear that upon the said lands there were formerly mills and other labour employing enterprises, which were of much benefit to the Town of Peterborough and Village of Ashburnham, but on account of destruction by fire and from other causes a considerable portion of such properties has for a number of years lain idle and unproductive; and whereas the said corporations have by their said petitions prayed that an Act may be passed validating and confirming the said by-laws; and whereas the said American Cereal Company, appears to carry on a large export trade and has numerous agencies and business connections with Great Britain and other European countries; and whereas the nature and importance of the intended operations of the said company are of special interest to the agricultural community, not only in the County of Peterborough, but in that section of the Province of Ontario and the said industry and enterprise are calculated to become of general public advantage, and are quite distinguishable from ordinary industrial enterprises as regards the general advantage to the public which may result from the establishment thereof in the Province; and whereas the municipal councils of the said corporations for the year 1900 unanimously approved of the said by-laws, and the question of the said by-laws was before the ratepayers during the last municipal elections and no opposition on the part of the ratepayers was manifested thereto, and the municipal councils of the said corporations for the present year unanimously approve of the said by-laws; and whereas the exemption provided for in and by the said by-laws is not to apply to the present assessable value of the said properties, but only to the value of the works, plant and machinery to be established and installed by the said company; and whereas it has been made to appear that the carrying out of the said new industrial enterprise will impart a large increase in the value, not only to other properties in the immediate vicinity of the said work, but generally to other properties in the said municipalities and greatly promote business activity and prosperity therein; and whereas no opposition has been made from any source to the granting of the prayers of the said petitions; and whereas it appears to be desirable and greatly in the public interest that the said by-laws should be validated and confirmed;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-Law No.
912 of Town
confirmed.

1. By-Law number 912 of the corporation of the Town of Peterborough, passed on the 3rd day of December, 1900, intituled "A By-Law to fix the assessment of certain lands in the Town of Peterborough," which By-Law is set out as Schedule "A" hereto is confirmed and declared to be legal, valid and binding according to the true intent and meaning thereof.

By-Law No.
262 of Village
confirmed.

2. By-Law number 262 of the Corporation of the Village of Ashburnham, passed on the 3rd day of December, 1900, intituled "A By-Law to fix the assessment of certain lands in the Village of Ashburnham," which By-Law is set out as Schedule "B" hereto is confirmed and declared legal, valid and binding according to the true intent and meaning thereof.

What shall be
deemed a
compliance
with condi-
tion (b) of
the by-laws.

3. Should the said Robert Stuart or his assigns have contracted for the purchase of the properties referred to in the said by-laws before the expiration of two months from the passing thereof, and have afterwards completed the purchase the said properties shall be deemed to have been acquired within the meaning of condition (b) of said by-laws.

SCHEDULE "A."

By-LAW No. 912.

A By-law to fix the assessment of certain lands in the Town of Peterborough. Passed the 3rd day of December, 1900.

Whereas upon the water privilege properties of the Dickson Company of Peterborough (Limited) situate in the Town of Peterborough and Village of Ashburnham there were formerly mills and other labor employing enterprises which were of much benefit to the Town of Peterborough and Village of Ashburnham but on account of destruction by fire and from other causes a considerable portion of such properties has for a number of years lain idle and unproductive.

And whereas it would be greatly in the interests of the said town and village and of the public generally that said property should again become productive by having mills and other labor employing enterprises built thereon.

And whereas Robert Stuart of Chicago, Treasurer of the American Cereal Company has represented that he and his associates would purchase the said lands and would procure the said company to establish works upon a portion of said lands costing not less than \$100,000, and that other industries would thereafter be established upon other portions of said lands provided that the assessment for municipal taxation of said lands were fixed at a certain sum for a certain number of years.

And whereas it is expedient that upon the conditions hereinafter contained the said assessment should be fixed as hereinafter mentioned—the present assessment for the Town of Peterborough being the sum of \$58,700.00.

Therefore the corporation of the Town of Peterborough by the council thereof enacts as follows :

1. This By-law shall not take effect unless and until the following conditions have happened and been observed but from and after the same have happened and been observed this By-law shall take effect.

2. The conditions above mentioned are as follows :

(a). That this By-law has been confirmed by an Act of the Legislature of Ontario.

(b).

(b). That the said Robert Stuart or his assigns shall have acquired the said properties before the expiration of two months from the passing of this By-law.

(c). That the American Cereal Company shall have established upon a portion of said property within one year after the said Act has been passed works for the manufacture of oat meals, flour and cereal products costing (exclusive of land) not less than \$100,000.

3 The lands described in the schedule hereunto annexed including all buildings, improvements, plant machinery and fixtures now and hereafter thereon shall for the period of forty two years commencing with the year 1901 be assessed en bloc in each year at the sum of \$58,700.00 for all municipal taxation thereof and the assessors and other officers making such assessment are hereby required to so make their assessments and returns as to conform to the provisions of this By-law. Provided, however, that when and so often as any part or parts of said lands shall be used for the purpose of dwellings such part or parts when and so long as used for such purpose shall be assessable as if this By-law had not been passed.

4. The personal property and income of the American Cereal Company shall during the said period of Forty two years commencing with the year 1901 be exempt from all municipal taxation by the Town of Peterborough.

Sd. T. H. G. DENNE,
Presiding Officer.

Sd. S. R. ARMSTRONG,
Town Clerk.

(Seal)

Schedule referred to in the annexed By-law.

1. Lot No. 8, on the south side of Hunter street and east of Water street.

2. Part of lot No. 6 and the whole of lot No. 7, on the north side of Hunter street and east of Water street.

3. The water privilege property extending from Hunter street to London street, together with a strip of land one chain in width along the raceway, bounded on the east by the west side of said raceway and on the west by a line drawn parallel thereto and distant one chain therefrom.

4. The piece of land north of London street bounded on the south by London street, on the west by a line drawn parallel with Waterford street, and 125 feet easterly therefrom, and on the west and the north by the river.

5. Lots 1 and 2 south side of Edinburgh street and east of Water street.

6. Lots 1 and 2 north side of Edinburgh street and east of Water street, and parts of lots 1 and 2 south side of Antrim street and east of Water street.

7. Lot 45, north of Inverlea park according to plan 42.

Together with all dams, ponds, rights, members and appurtenances in any way belonging or appertaining to the said several parcels of land, being the several parts and parcels of land shown on the plan hereunto annexed by the red color including the raceways and within the Town of Peterborough.

(Sgd.) T. H. G. DENNE,
Presiding Officer.

(Sgd.) S. R. ARMSTRONG,
Town Clerk.

SCHEDULE B.

BY-LAW No. 262.

A By-law to fix the assessment of certain lands in the Village of Ashburnham. Passed the 3rd day of December, 1900.

Whereas upon the water privilege properties of The Dickson Company, of Peterborough (Limited), situate in the Village of Ashburnham and Town of Peterborough, there were formerly mills and other labor employing industries which were of much benefit to the Village of Ashburnham and Town of Peterborough, but on account of destruction by fire and from other causes, a considerable portion of such properties has for a number of years lain idle and unproductive.

And whereas it would be greatly in the interests of the said village and town, and of the public generally, that said property should again become productive by having mills and other labor employing industries built thereon.

And whereas Robert Stuart, of Chicago, treasurer of The American Cereal Company, has represented that he and his associates would purchase the said lands and would procure the said company to establish works upon a portion of said lands costing not less than \$100,000, and that other industries would thereafter be established upon other portions of said lands provided that the assessment for municipal taxation of said lands were fixed at a certain sum for a certain number of years.

And whereas it is expedient that upon the conditions hereinafter contained the said assessment should be fixed as hereinafter mentioned—the present assessment for the Village of Ashburnham being the sum of \$45,000.00.

Therefore the corporation of the Village of Ashburnham by the council thereof enacts as follows:—

1. This By-law shall not take effect unless and until the following conditions have happened and been observed, but from and after the same have happened and been observed this By-law shall take effect.

(. The conditions above mentioned are as follows :

a) That this By-law has been confirmed by an Act of the Legislature of Ontario.

(b) That the said Robert Stuart or his assigns shall have acquired the said properties before the expiration of two months from the passing of this By-law.

(c) That The American Cereal Company shall have established upon a portion of said property within one year after the said Act has been passed works for the manufacture of oat meals, flour and cereal products costing (exclusive of land) not less than \$100,000.

3. The lands described in the schedule hereunto annexed including all buildings, improvements, plant, machinery and fixtures now and hereafter thereon shall for the period of forty-two years, commencing with the year 1901, be assessed en bloc in each year at the sum of \$45,000.00 for all municipal taxation thereof and the assessors and other officers making such assessment are hereby required to so make their assessments and returns as to conform to the provisions of this by-law. Provided, however, that when and so often as any part or parts of said lands shall be used for the purpose of dwellings such part or parts when and so long as used for such purpose shall be assessable as if this by-law had not been passed.

4. The personal property and income of the American Cereal Company shall, during the said period of forty-two years, commencing with the year 1901, be exempt from all municipal taxation by the village of Ashburnham.

[Seal]

(Signed) FRANK ADAMS, Reeve.

(Signed) JOHN WOOD, Clerk.

Schedule referred to in the annexed By-law.

1. The water privilege property extending from Elizabeth street northerly to Smith street, being bounded south and north by those streets respectively ; on the west by the river Otonabee ; on the east by Driscoll street, as far north as Douro street, thence northerly in a line produced from the easterly limit of Driscoll street parallel with the river bank, and equally distant therefrom until said line meets the railway track, and thence northerly by the railway track, except Lot. No. 15, N. Elizabeth street and part of Block G.

2. Parts of Lots Nos. 8 and 9 according to plan of the Auburn Estate as described in Conveyance from the late Robert Nicholls to Richard Hall.

Together with all dams, ponds, rights, members and appurtenances in any way belonging or appertaining to the said several parcels of land, including the tail race in Ashburnham and the rights and privileges appurtenant to such tail race, being the several parts and parcels of land shown on the plan hereunto annexed by the red color.

(Seal)

(Signed) FRANK ADAMS, Reeve.
(Signed) JOHN WOOD, Clerk.

CHAPTER 64.

An Act respecting the Town of Petrolea.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Municipal Corporation of the Town of Petrolea has petitioned praying that an Act may be passed to ratify, confirm and legalize By-law No. 605, of the said town, intituled "A By-law of the Corporation of the Town of Petrolea to raise the sum of \$18,000 to repay temporary loans obtained for the purpose of meeting the amount required to secure a release from the judgment obtained in the action brought by Thomas Johnston against the Corporation in respect of sewage discharged into Bear Creek and for other purposes and to issue debentures therefor to the said amount, and to authorize the levying of a special rate for the payment of such debentures and interest," a copy of which said By-law is set out in Schedule "A" to this Act; and whereas before the final passing thereof the said By-law was duly submitted to a vote of the ratepayers in accordance with the provisions of *The Municipal Act* and was approved by a large majority of the ratepayers voting thereon, and was finally passed by the council of the said Town on the 21st day of May, 1900; and whereas the said by-law was duly registered in the Registry Office for the County of Lambton, on the 28th day of May, 1900, being within four weeks of the final passing thereof; and whereas no application has been made to any court to set aside or quash the said by-law, nor has any action been brought whereby the validity of the said by-law has been or is likely to be brought in question; and whereas one year has nearly expired since the passing of the said by-law and no debentures have yet been issued thereunder; and whereas the said corporation has represented that the sale of the debentures to be issued under the said by-law would be greatly facilitated and their commercial value enhanced were the said By-law No. 605 ratified and declared legal, valid and binding on the said municipality; and whereas it is expedient to grant the prayer of the said petition,

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law No.
605 confirmed
and debentures author-
ized.

1. The said By-law Number 605 of the Municipal Corporation of the Town of Petrolea set forth in Schedule "A" to this

this Act is hereby confirmed and declared legal, valid and binding to all intents and purposes and the said municipal corporation is hereby authorized and empowered, either before or after the expiration of one year from the passing of said by-law to issue the debentures mentioned in the said by-law, and the debentures to be so issued under the said by-law when issued shall be legal, valid, and binding upon the said Municipal Corporation of the Town of Petrolea and the ratepayers thereof notwithstanding anything in any Act to the contrary.

SCHEDULE A.

BY-LAW No. 605.

A By-law of the Corporation of the Town of Petrolea to raise the sum of \$18,000.00 to repay temporary loans obtained for the purpose of meeting the amount required to secure a release from the Judgment obtained in the action brought by Thomas Johnson against the Corporation in respect of sewage discharged into Bear Creek, and for other purposes, and to issue Debentures therefor to the said amount, and to authorize the levying of a special rate for the payment of such debentures and interest.

Provisionally passed this Ninth day of April A.D. 1900.

Whereas, in order to secure a full discharge and release from the Judgment obtained in the said action brought in the High Court of Justice for Ontario by Thomas Johnston against this Municipality in respect of the Town sewage discharged into Bear Creek, and also from the injunction decreed against this Corporation in said action: and to cover the balance of the costs of said action and of the defence thereof this Corporation has paid the sum of \$5,763.84, which amount the Corporation procured by means of temporary loans;

And, whereas, the Corporation has purchased from some of the proprietors of lands through which Bear Creek flows rights for all time to come to discharge certain town sewage into said stream at an expenditure of \$960.00, which amount was also secured by means of a temporary loan;

And whereas it has been deemed advisable to procure further permanent rights of way for town sewage into said stream, which it is estimated will cost \$500;

And whereas the sum of \$3,594.77 has been expended in the construction of the water-works system of the town, and in the extensions thereof recently made, in excess of the amount realized on the sale of the Debentures for the original construction of the works and for the interest on such moneys while on deposit: which said amount of \$3,594.77 has also been procured by means of temporary loans;

And whereas, in addition to the foregoing, the Corporation has also procured temporary loans to the extent of \$7,181.39 to meet certain general expenditures of the Corporation, largely of a permanent character and, which, but for the rates necessarily raised to meet the payment of the waterworks Debentures might readily have been paid out of the ordinary annual revenues of the Corporation raised by taxation:

And whereas, in the opinion of the Council of said Corporation the revenue to be derived from the waterworks, including a reasonable allowance for hydrant rental for fire purposes, will in the future be sufficient not only to meet the annual expenses connected with operating the works, but will also be sufficient to redeem the Debentures hereafter falling due, which were issued for the original construction of the works, together with the interest accruing thereon;

And whereas, the total amount required to repay the said several temporary

porary loans and to purchase the additional rights of way for sewage hereinafter referred to is \$18,000.00 ;

And whereas, it has been deemed advisable that the said sum of \$18,000.00 instead of being raised by taxation during the present year should be raised on the credit of the Municipality by the issue of Debentures to the said amount ; bearing interest at the rate of $4\frac{1}{2}$ per centum per annum, payable as hereinafter provided ;

And whereas the Corporation has resolved that the said Debentures shall be payable in annual instalments within twenty years from the day on which this By-law takes effect, said instalments to be of such amounts that the aggregate amount payable for principal and interest in any one year shall be equal as nearly as may be to what is paid for principal and interest during each of the other years of such period ; and that the first of such annual instalments shall be payable on the 31st day of December, A. D. 1900 :

And whereas the whole amount of the ratable property of the Municipality according to the last Revised Assessment Roll of said Town is \$1,195,510 :

And whereas the existing debenture debt of said Town is \$209,609.04, and no part of the principal or interest is in arrears :

And whereas for paying off the said debentures and interest there will require to be raised the several sums in each year respectively set forth in the following schedule :

SCHEDULE B.

In the Year	Principal.	Interest.	Total.
1900.....	\$573 77	\$810 00	\$1 383 77
1901.....	599 59	784 18	1,383 77
1902.....	626 57	757 20	1,383 77
1903.....	654 77	729 00	1,383 77
1904.....	684 23	699 54	1,383 77
1905.....	715 02	668 75	1,383 77
1906.....	747 20	636 57	1,383 77
1907.....	780 82	602 95	1,383 77
1908.....	815 96	567 81	1,383 77
1909.....	852 68	531 09	1,383 77
1910.....	891 05	492 72	1,383 77
1911.....	931 15	452 62	1,383 77
1912.....	973 05	410 72	1,383 77
1913.....	1,016 84	366 93	1,383 77
1914.....	1,062 59	321 18	1,383 77
1915.....	1,110 41	273 36	1,383 77
1916.....	1,160 38	223 39	1,383 77
1917.....	1,212 60	171 17	1,383 77
1918.....	1,267 15	116 62	1,383 77
1919.....	1,324 17	59 60	1,383 77
Total.....	\$18,000 00	\$9,675 40	\$27,675 40

Being the aggregate amount payable for principal and interest equalized as nearly as may be in each year according to the Statute in such cases made and provided.

Therefore the Corporation of the Town of Petrolea enacts as follows :—

1. That it shall be lawful for the Mayor of said Town to borrow the said sum of eighteen thousand dollars, and to issue the debentures of the said Corporation to the said amount in sums of not less than \$100.00 each, and not exceeding in the aggregate the said sum of \$18,000.00 ; which said debentures shall be under the Corporate seal of the said Town and be signed by the Mayor and Treasurer thereof, and shall be payable at the office of the said Treasurer in the said Town of Petrolea.

2. The said Debentures shall be made to secure payment in each of the several years in said Schedule mentioned of the respective sums of principal

principal and interest so hereinbefore set forth, and they shall have attached to them coupons for the payment of interest.

3. That the said debentures shall be payable on the 31st day of December in each of the said 20 years mentioned in said Schedule, and shall bear interest at the rate of four and one-half per cent. per annum from the date hereof, and such interest shall be payable annually on the 31st day of December in each of said years.

4. There shall be raised and levied annually in each year of said 20 years in said Schedule mentioned over and above and in addition to all other rates the sum of \$1383.77 by a special rate on all of the rateable property in the Town of Petrolea, the same being a sum sufficient to discharge the several instalments of principal and interest accruing due on said Debentures as the same respectively become payable as hereinbefore recited and mentioned.

5. That the said \$18,000.00, when obtained, shall be applied for the purposes before mentioned according to the true intent and meaning of this By-law.

6. That this By-law shall take effect from and after the day of the final passing thereof.

7. That the votes of the electors of the said Town will be taken on this By-law by the Deputy Returning Officers hereinafter named, on Thursday, the Third day of May, A.D. 1900, commencing at the hour of nine o'clock in the forenoon and continuing until five o'clock in the afternoon of the same day at the following places :—

Polling Sub-division Number One, at Room over John Marks' tailor shop, being the old Council Chamber, by James Falconer, Dy. R. O.

Polling Sub-division Number Two, at the Council Chamber, Town Hall, by John Sinclair, Dy. R. O.

Polling Sub-division Number Three, at the East End Fire Hall, by Hiram Cooley, Dy. R. O.

Polling Sub-division Number Four, at the residence of Alexander Robins, on Main Street, by James L. Simpson, Dy. R. O.

8. On Monday, the 30th day of April, 1900, at his office in Victoria Hall, Petrolea, at ten o'clock in the forenoon the Mayor shall appoint in writing, signed by himself, two persons to attend to the final summing up of the votes by the Clerk of the said Corporation and one person to attend at each of said polling places on behalf of the persons interested in and desirous of promoting the passing of this By-law, and a like number on behalf of the persons interested in and desirous of opposing the passing of this By-law respectively.

The said Clerk shall attend at the Council Chamber of said Municipality in Victoria Hall, at the hour of ten of the Clock in the forenoon, on Friday, the Fourth day of May, A.D. 1900, to sum up the number of votes given for and against this By-law.

Finally passed, this twenty-first day of May, one thousand nine hundred.

(Sgd.). JOHN McHATTIE,
Town Clerk.

JAS. W. McCUTCHEON,
Mayor.

Seal.

CHAPTER 65

An Act respecting the Town of Port Arthur.

Assented to 15th April, 1901.

Preamble.

Rev. Stat.
c. 223.

WHEREAS the Council of the Corporation of the Town of Port Arthur has by petition represented that since the incorporation of the said town various irregularities and failures to comply with the requirements of *The Assessment Act* in the preparation of Assessment Rolls and Collectors' Rolls in the said Town have taken place, and that in consequence great difficulties have been met with in the effort to collect taxes within the said town, and has prayed that all assessment rolls of the said town heretofore finally passed and all collectors' rolls of the said town heretofore returned, and all sales of lands within the said town heretofore had for arrears of taxes should be validated and confirmed, and also that any lands within the said town bought in by or for the said town at any sale of lands for arrears of taxes should be liable to taxation in the same manner as if the same did not belong to a municipal corporation, and no objection thereto has been made on the part of any ratepayer; and whereas by the supplementary petition of the said corporation it has been further represented that to superintend and operate more efficiently the electric street railway of the said town and the municipal system of electric lighting in the said town it is desirable to increase the number of electric railway and light commissioners of the said town to five, and that to supply more economically the power necessary for the said electric railway and lighting it is advisable to develop the water power of Current River in the said town, and that for the purpose last mentioned the municipal council of the said town has passed a by-law to authorize the issue of debentures to the amount of \$30,000, and has submitted the said by-law to the vote of the electors of the said town, and that 301 votes were cast in favour of the said by-law and 27 votes against it, and that it is desirable to confirm the said by-law and to declare the debentures to be issued thereunder valid and binding; and whereas it is expedient to grant the prayers of the said petitions subject to the provisions hereinafter set forth:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. All assessment rolls of the said town heretofore finally revised, and all collectors' rolls of the said town heretofore returned by the collectors thereof, are hereby validated and confirmed, notwithstanding anything to the contrary in *The Consolidated Assessment Act, 1892* or in *The Assessment Act* contained, or any failure to comply with the provisions of the said Acts or of either of them.

Assessment
and collectors'
rolls valid-
ated.

55 V. c. 48.
Rev. Stat.
c. 224.

2.—(1) All sales of lands within the said town had before the first of January, 1900 and purporting to be made for arrears of taxes in respect of the lands so sold are hereby validated and confirmed, notwithstanding any irregularity in the assessment or other proceedings for imposition of any taxes so in arrear or any failure to comply with the requirements of *The Consolidated Assessment Act, 1892*, or of *The Assessment Act* in regard to the manner in which any assessment roll or collectors' roll of the said town has been prepared, or in regard to the certifying or signing of the same, or the making of any affidavit or oath required in connection therewith, or in regard to the time for return of any collectors' roll of the said town or in regard to the furnishing, authenticating or depositing of any list of lands in arrear for taxes within the said town, or in regard to the mailing of notice to any person in respect to whose land any taxes appeared at any time to be in arrear, or in regard to any omission to levy the amount of any such taxes in arrear by distress and sale of goods, and notwithstanding any other failure or omission on the part of any official of the said town to comply with any requirements of the said Acts, and notwithstanding anything to the contrary in either of the said Acts contained.

Tax Sales
validated.

Rev. Stat.
c. 224.

(2) The owner of any land sold at the annual tax sale held in the year 1899 or his executors, administrators or assigns, may, at any time within twelve months from the passing of this Act, redeem the land sold, by paying or tendering to the town treasurer, for the use and benefit of the purchaser or his legal representatives, the sum paid by him together with ten per centum thereon; or in the event of the lands so sold having been purchased by the town, by paying or tendering to the said treasurer, the full amount of the taxes due together with the expenses of sale, and the treasurer shall give to the person paying such redemption money a receipt stating the sum paid and the object of payment and such receipt shall be evidence of the redemption.

Former own-
ers may
redeem on
paying arrears
of taxes and
expenses of
sale.

3. Any lands within the said town which, at any sale for arrears of taxes heretofore have been, or hereafter may be bought in by or for the said town shall be liable to be assessed for and charged with payment of all debenture, local improvement, school and general rates within the said town in the same manner and to the same extent in every respect as if the said lands did not belong to a municipal corporation.

Land bought
in by Town
liable to be
taxed.

58 V. c. 73,
amended.

4. The Act respecting the Town of Port Arthur passed in the fifty-eighth year of the reign of Her late Majesty Queen Victoria, and chaptered 73, is hereby amended by adding thereto the following sections:—

4a. In addition to the said three elected commissioners the mayor of the said town, for the time being, shall ex-officio be a member of such board of Electric Railway and Light Commissioners.

4b. A fifth member of such board of Electric Railway and Light Commissioners shall be appointed each year by the municipal council of the said town. The commissioner so to be appointed by the said municipal council shall be subject to all the statutory qualifications and regulations governing municipal councillors, and shall not be, at the time of such appointment or while such commissioner, a member of the said municipal council.

By-law
ratified.

5. By-law number 572 of the municipal council of the said Town of Port Arthur passed on the 25th day of February, 1901, a copy of which is set forth in Schedule A to this Act, is hereby ratified and confirmed, and declared to be legal and binding.

Debentures
validated.

6. The debentures to be issued pursuant to the said by-law shall be and are hereby declared to be valid and binding.

Certain sections of Rev.
Stat. c. 235 to
apply.

7. The provisions of sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 15, 27, 28, 32, 36 and 38 of *The Municipal Water Works Act* shall apply to the undertaking mentioned in the said by-law in the same manner and to the same extent as though such undertaking were the construction, holding and operating a system of water works for the said town.

Town may
extend time
for completion
of works refer-
red to in 62 V.
c. 120

8. At any time before the 31st day of December, 1901, the Council of the Corporation of the Town of Port Arthur may agree, on signing and delivering the agreement set forth in Schedule "B" to the Act passed in the 62nd year of the reign of Her late Majesty, Queen Victoria, chaptered 120, that the time for the completion of the works therein specified shall be extended until such date as the council may think proper but not later than the 1st day of January, 1903.

Pending
litigation not
affected.

9. Nothing herein contained shall affect any pending litigation.

SCHEDULE A.

TOWN OF PORT ARTHUR. No. 572.

By-law to provide for the development of the water power of Current River, in the Town of Port Arthur, and the extension of the electric lighting plant of the town and to authorize the issue of debentures to the amount of thirty thousand dollars (\$30,000.00).

Whereas

Whereas it is deemed expedient to develop the water power of Current River for the purposes of sale and for the purposes of the electric power and lighting plant of the town, and to further extend the electric power and lighting plant, and to provide for the issue of debentures to the amount of \$30,000.00 for such purposes.

And whereas by an Act passed by the Ontario Legislature in the 62nd year of Her Majesty's reign, chapter 73, entitled "An Act respecting the Town of Port Arthur," it was amongst other things enacted by paragraph 3. sub-sections 1 and 2 thereof, that all debentures heretofore and hereafter issued by the Town of Port Arthur for extending and operating the electric lighting property and plant shall be a fixed preferential charge or lien on the said electric property and plant and shall also be a first charge or lien on the net income derived from the operating of the said property and plant.

And whereas it will require the sum of \$2,507.45 to be raised annually by a special rate on the whole rateable property of the said Town of Port Arthur for the paying of the said sum of \$30,000.00 and interest on the debentures to be issued therefor, of which the sum of \$1,500.00 will be for interest and the sum of \$1,007.45 for a sinking fund from which to pay the said debentures.

And whereas the amount of the whole rateable property of the said Town of Port Arthur according to the last revised Assessment Roll is \$1,375,713.00 of which \$295,800 is wholly exempt from taxation and \$20,700.00 is exempt except for school taxes.

And whereas the amount of the existing debenture debt of the said corporation of the Town of Port Arthur is \$236,250.00 exclusive of local improvement debts secured by special acts, rates or assessments, and there is no part of the principal or interest in arrears.

Therefore the council of the corporation of the Town of Port Arthur enacts as follows :—

(1) The construction of the necessary works and improvements and acquiring the necessary lands and privileges for the proper development and use of the said water power, and such additions to and extensions of the electric lighting plant and electric power of the town as by the council of the said town may be considered expedient or necessary, is hereby authorized.

(2) That for the purpose aforesaid it shall be lawful for the mayor of the said corporation and he is hereby authorized and empowered to cause any number of debentures of the said corporation of the Town of Port Arthur to be made, executed and issued, in sums of not less than one hundred dollars each, and not exceeding in the whole the said sum of \$30,000.00, which said debentures shall be signed by the mayor of the said corporation for the time being and countersigned by the treasurer for the time being of the said Corporation, and duly sealed with the corporate seal thereof.

(3) That the said debentures shall bear date upon and be made payable in twenty years from the day hereinafter appointed for the coming into force of this by-law at the Ontario bank at the city of Toronto.

(4) That the said debentures shall bear interest at and after the rate of five per cent. per annum from the date thereof, and such interest shall be made payable half yearly, namely, on the first day of June and on the first day of December in each and every year during the currency of the said debentures at the said Ontario bank at Toronto, and such debentures shall have attached thereto coupons for such half yearly interest.

(5) For the purpose of paying the said debt hereby created and the interest on the said debentures to be issued therefor as aforesaid the sum of \$2,507.45 shall be raised, levied and collected in each year, of and from the whole rateable property of the said Town of Port Arthur by an equal special rate in addition to all other rates during the continuance of such debentures, of which the sum of \$1,500.00 shall be for such interest, and the sum of \$1,007.45 for a sinking fund for the ultimate payment of such debentures.

(6) That the debentures issued under this by-law, with the debentures already issued by the town of Port Arthur, for the purpose of purchasing the electric lighting property and plant, now the property of the town of Port

Port Arthur, or for extending and operating the same, shall be a first preferential charge or lien on the said electric lighting property and plant of the Town of Port Arthur, and shall also be a first charge or lien on the net income derived from operating of the said property and plant.

(7) That this by-law shall come into force on the twenty-fifth day of February, 1901.

(8) The votes of such of the electors of the said town of Port Arthur as are entitled to vote thereon shall be taken on this by-law on Monday the seventh day of January, 1901, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon, at the following places and by the deputy returning officers hereinafter mentioned, that is to say :—

Polling sub-division No. one, embracing all that part of the town of Port Arthur known as the first ward, at the council chamber on Park street, by Mr. Neil McDougall, as deputy returning officer.

Polling sub-division No. two, embracing all that part of the town of Port Arthur known as the second ward, at lot 5, west Cumberland street, by Mr. W. A. McCallum as deputy returning officer.

Polling sub-division No three embracing all that part of the town of Port Arthur known as the third ward, at lot 2 north Cameron, by Mr. J. M. Munro, as deputy returning officer.

(9) On Saturday the fifth day of January, 1901, at his office in the council chamber on Park street in the town of Port Arthur, at eleven o'clock in the forenoon, the mayor shall in writing signed by him appoint two persons to attend at the final summing up of the votes by the clerk of this corporation, and one person to attend at each polling place on behalf of the persons interested in and desirous of promoting the passing of this by-law and a like number on behalf of the persons interested in and desirous of opposing the passing of this by-law respectively.

(10) The eighth day of January, 1901, at the council chambers aforesaid at 12 o'clock at noon is hereby appointed for the summing up by the clerk of this corporation of the number of votes given for and against this by-law respectively

Council Chambers, Port Arthur, 25th day of February, 1901



J. L. MATHEWS,
Mayor.
J. McTEIGUE,
Clerk.

CHAPTER 66.

An Act to confirm By-law Number 239 of the Village of Port Dalhousie.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Municipal Corporation of the Village of Port Dalhousie has by petition set forth that an agreement was entered into on the seventh day of March, 1899, between the said Corporation and The Toronto Rubber Shoe Manufacturing Company, Limited, whereby the latter company agreed among other things to erect a factory within the limits of the said corporation for the manufacture of rubber goods and

and to expend in the erection of such factory and in additional buildings and in plant and machinery the sum of not less than \$100,000, and to employ in such factory not less than two hundred employees, that the said corporation agreed among other things to pass a by-law exempting the said company from taxation for ten years; that on the thirty-first day of March, 1900, all the assets, rights and privileges of the said company, including their rights under the said agreement, were vested in The Maple Leaf Rubber Company, Limited; that the said last mentioned company completed the erection of their said factory and buildings on or about the month of April, 1900, and expended in the erection thereof \$141,836, and are employing in their said factory 325 employees and that the said municipal corporation on the eighth day of December, 1900, passed a by-law of the said corporation, numbered 239, to exempt the said last mentioned company from taxation, except as to school taxes, for the period of ten years from the first day of January, 1900; and whereas the said corporation has prayed for the passing of an Act to confirm the said by-law; and whereas there is no opposition to the said petition; and whereas it is expedient to grant the prayer of the said petition subject to the provisions hereinafter contained:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law number 239 of the Municipal Corporation of the Village of Port Dalhousie, passed on the eighth day of December, 1900, intituled "A By-law to exempt the real and personal property of The Maple Leaf Rubber Company, Limited, from taxation for ten years, from the first day of January, 1900," which by-law is set out in Schedule "A" hereto, is hereby confirmed and declared legal, valid and binding according to the true intent and meaning thereof; provided, however, that in the event of the said company, its successors or assigns, failing to employ at least 200 employees on an average daily in the said village during any years of the said term of exemption provided for in the said by-law, or failing to continue the operation of the plant, machinery and property mentioned in the said agreement, during at least eleven months of any year of the said term, or failing to continue to own and operate property in the said village to the value of at least \$100,000, then the provisions of the said by-law and all exemption from taxation thereunder shall cease during the period of such failure.

By-law No.
239 confirmed.

SCHEDULE A.

By-LAW No. 239.

A by-law to exempt the real and personal property of The Maple Leaf Rubber Company, Limited, from taxation for ten years from the first day of January, 1900.

Whereas by agreement entered into on the seventh day of March, 1899, and made between The Toronto Rubber Shoe Manufacturing Company, Limited, and the Corporation of the Village of Port Dalhousie, it was agreed for the considerations in such agreement set forth, among other things, that the said corporation would pass a by-law exempting the said The Toronto Rubber Shoe Manufacturing Company, Limited, from taxation for ten years.

And whereas by indenture dated the thirty-first day of March, 1900, and made between the said The Toronto Rubber Shoe Manufacturing Company, Limited, and the said The Maple Leaf Rubber Company, Limited, all the assets, rights and privileges of the said The Toronto Rubber Shoe Manufacturing Company, Limited, including all their rights under said in part recited agreement of the seventh day of March, 1899, were transferred to and became vested in the said The Maple Leaf Rubber Company, Limited, and the said last mentioned company have requested the said corporation to comply with the said agreement by exempting them from taxation as aforesaid.

And whereas the said corporation are desirous of complying with such request, but since the said in part recited agreement of the seventh day of March, 1899, was entered into the law has been altered so that the said corporation are not now legally entitled by by-law to exempt the said The Maple Leaf Rubber Company, Limited, from taxation as aforesaid, but it has been agreed that such by-law shall be passed and that the said corporation shall apply to the Legislature of the Province of Ontario at its next session to sanction and confirm same.

Therefore the Council of the Corporation of the Village of Port Dalhousie enacts as follows :—

1. For a period of ten years to be computed from the first day of January, 1900, or so long during such period as The Maple Leaf Rubber Company, Limited, shall carry out the agreements entered into by and on behalf of The Toronto Rubber Shoe Manufacturing Company, Limited, with the said corporation by the said in part recited agreement of the seventh day of March, 1899, the lands, premises and buildings within the said corporation occupied or owned by the said The Maple Leaf Rubber turers of rubber shoes and generators and suppliers of electricity and electric light, and also the machinery, plant, tools, material or materials used in and in connection with their factory and situate within the said corporation and all stock manufactured and unmanufactured and other personalty of every kind belonging to or which shall belong to the said The Maple Leaf Rubber Company, Limited, and situate within the said corporation shall be exempt from taxation, but not from taxation for school purposes.

[Seal.]
Municipality of Port Dalhousie, Ontario.

A. N. ZIMMERMAN,
Reeve.
JOHN AYRE CONSIDINE,
Clerk.

Passed in Council, December 8th, 1900.

CHAPTER 67.

An Act respecting the Town of Rat Portage.

Assented to 15th April, 1901.

WHEREAS the Corporation of the Town of Rat Portage Preamble has by petition represented that the treasurer of the said town omitted to furnish the clerk of the said municipality with statements of unpaid taxes directed in the collectors' rolls to be collected for the years 1894 to 1900 inclusive as required by section 152 of *The Assessment Act*, and that such statements for the said years were not furnished until the 11th day of February, A.D. 1901; and whereas it appears that the said treasurer has furnished to the mayor of the said municipality of the Town of Rat Portage a list of the lands liable to be levied upon by sale for taxes as required by sections 173 and 224 of *The Assessment Act*, but doubts have arisen as to the power to sell the lands upon which the taxes have not been paid for the years 1894 to 1900 inclusive; and whereas doubts have arisen as to the validity of the several assessment and collectors' rolls of the said municipality of the Town of Rat Portage for the said several years; and whereas the Corporation of the said Town of Rat Portage has by the said petition prayed for the passing of an Act to legalize, confirm and validate the several assessment and collectors' rolls of the Town of Rat Portage for the years 1894 and 1900 inclusive and to legalize and confirm the return of the several statements of unpaid taxes for the said several years as required by section 152 of *The Assessment Act* and to enable the treasurer of the said Town of Rat Portage to sell for unpaid taxes for any of the said several years the lands liable for the same and whereas no objection thereto has been made on the part of any ratepayer of the said municipality; and whereas it is expedient to grant the prayer of the said petition subject to the provisions hereinafter contained:— Rev. Stat. c. 224.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The returns of statements of unpaid taxes furnished by the treasurer of the Municipality of the Town of Rat Portage to the clerk of the said municipality on the 11th day of February, 1901, for the years 1894 to 1897 inclusive are hereby declared to be legal, valid and binding upon all parties, but to the same extent and effect only as if made on the days and times required by section 152 of *The Assessment Act*. Returns of unpaid taxes validated. Rev. Stat. c. 224.

Assessment
and collectors'
roll confirmed.

2. All assessment and collectors' rolls of the said Town of Rat Portage finally passed for the years 1894 to 1897 inclusive are hereby confirmed and validated. The assessor's rolls and the collectors' rolls of the said municipality as returned by assessor and collector respectively in the years 1898, 1899 and 1900, shall not be deemed to be invalid on account of the following reasons or any of them:—

(1) That the provisions of section 147 of *The Assessment Act* were not complied with;

(2) That the taxes could heretofore have been collected without sale of the lands;

(3) That the assessor's and collectors' rolls for said years were not returned within the time required by *The Assessment Act*;

(4) That the Court of Revision was not regularly constituted in said years 1898, 1899 and 1900.

(5) And all proceedings that may hereafter be necessary for recovery of said taxes whether by sale of lands, or otherwise, may be validly taken by the corporation in accordance with the requirements of *The Assessment* and *Municipal Acts*, notwithstanding the said alleged defects or any of them.

Proceedings
pending not
affected.

3. Nothing in this Act shall prejudice or affect any action or proceeding now pending.

CHAPTER 68.

An Act to confirm a certain By-law of the Municipal Corporation of the Town of Renfrew.

Assented to 15th April, 1901.

Preamble.

Rev. Stat.
c. 223.

WHEREAS the Municipal Corporation of the Town of Renfrew has by petition shown that on the 25th day of July, 1899, the council of the said corporation passed, with the assent of the electors according to the provisions of *The Municipal Act*, a by-law respecting local improvement works and special assessments therefor; that in response to petitions received by the said council several local improvement works were in pursuance of the said by-law constructed and paid for with funds provided by an incorporated bank with which arrangements had been made to advance such funds;

that

that in the case of each of the said several local improvement works the necessary special assessments have been made and the Court of Revision to consider each of the said several special assessments has been held and there have been no appeals from any of the findings of the said Court of Revision; and that doubts have arisen as to the validity of the said by-law and of the several acts, matters and things done under and in pursuance of said by-law; and whereas the said corporation has by petition prayed that an Act may be passed ratifying and confirming the said by-law, the said assessments, arrangements and payments and all acts, matters and things done under and in pursuance of said by-law and that the said by-law as ratified and confirmed could be repealed by the council of the said corporation with, but not without, the assent of the electors of the said town; and whereas it is expedient to grant the prayer of the said petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. By-law number 107 of the Municipal Corporation of the Town of Renfrew, which is set forth as Schedule "A" to this Act, and all agreements and contracts heretofore entered into and all acts, matters and things heretofore done under and in pursuance of the said by-law are ratified and confirmed and declared to be legal, valid and binding as from the date of the passing of the said by-law, upon the Municipal Corporation of the Town of Renfrew and the ratepayers thereof and upon all other persons, parties to such agreements or contracts.

By-law No.
107 of Town
of Renfrew
confirmed.

2. Subsection 2 of section 682 of *The Municipal Act* shall apply to the said by-law.

Repeal of
by-law
with assent
of electors.

SCHEDULE A.

BY-LAW No. 107.

"A By-Law respecting Local Improvements, and Special Assessments therefor."

Whereas it is deemed desirable to provide for certain improvements, works and services being paid by special assessment on the property benefited:

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Renfrew, in the County of Renfrew, as follows:

1. This by-law may be known and cited as "A By-Law respecting Local Improvements and special assessments therefor."

2. Unless the context otherwise requires, the following words and expressions in this by-law shall have the meaning thereby assigned to them respectively, that is to say:

The words "local improvement," "work" or "service" shall mean any

any improvement, work, or service, the cost of which may be charged by the council under any of the provisions of "*The Municipal Act of Ontario*" against the real property immediately benefited, by way of special assessment.

The word "owner" shall be construed and deemed to include a lease-holder, the unexpired term of whose lease (including any renewals therein provided for) extends over a period which is not less than the duration of the proposed assessment, if the lessee has covenanted in his lease to pay all municipal taxes on the demised property during the term of said lease, and would be liable for the taxes for the proposed improvement.

The word "Inspector" shall mean such person as may be appointed inspector of street works by the municipal council of the Town of Renfrew.

The words "Engineer," "Clerk," "Treasurer" and "Street Committee" shall mean "Engineer," "Clerk," "Treasurer" and "Street Committee" of the Town of Renfrew.

The word "Corporation" shall mean "The Municipal Corporation of the Town of Renfrew."

The word "Council" shall mean "The Municipal Council of the Town of Renfrew."

3. From and after the first day of August, A.D. 1899, all future expenditure in the Town of Renfrew for the several classes of works, improvements and services hereinafter mentioned, for which (amongst others) special provisions are made in Sections 664 to 685, Chap. 223, R. S. O. 1897;

(a) Opening, widening, prolonging or altering, macadamizing, grading, levelling, paving or planking any street, lane, alley, public way or place, or constructing any sidewalk;

(b) Curbing, sodding or planking any street, lane, alley, square or public place;

(c) Re-constructing, as well as constructing, any of the said works or improvements shall be by special assessment on the property benefited, and not exempt by law from assessment.

4. In the opening, widening, straightening or extension of streets, where the whole cost of the improvement is assessable against the property fronting or abutting upon the street or portion of street to be opened, widened, straightened or extended, the owners of the land to be taken for such opening, widening, straightening or extension, must dedicate the same to the town free of cost, and no such street shall be opened, widened, straightened or extended unless the land required therefor has been so dedicated to the town free of cost, notwithstanding the fact of a petition sufficiently signed having been presented for the said improvement; provided this prohibition shall not apply in any case as to which three-fourths of the members of the council present at any meeting thereof shall vote that it is in the public interest that the street shall be opened, widened, straightened or extended at the expense of the properties abutting thereon, notwithstanding the refusal of the owners of the property required therefor, or of some of them, to dedicate the property so required.

5. In making every assessment to defray the cost of the construction of pavements and sidewalks, the engineer or inspector shall make an allowance on corners, triangular and other irregularly shaped pieces of land situate at the intersection or junction of streets, as follows:

On lots having an angle of ninety degrees, an allowance of one-third the number of feet on the side of the lot to be assessed; on lots having an angle of more than ninety degrees, an allowance of less than one-third the number of feet on the side of the lot to be assessed; on lots having an angle of less than ninety degrees, an allowance of more than one-third the number of feet on the side of the lot to be assessed, as may in each case, in his opinion, be deemed just and equitable, having due regard to the situation, value and superficial area of such lot, as compared with adjoining lots and pieces of land assessable for such improvements, works and services.

6. Any allowance made in pursuance of the next preceding section may

may be charged on the real property fronting on the improvements, or be assessed as a portion of the town's share of the cost of such improvements, in like manner as the intersection of streets, or partly on both, in such proportions as may be deemed just and equitable by the engineer, and the cost of any portion assessed against the town shall be provided in like manner as in the case of street intersections.

6a. In every assessment to defray the cost of the construction of pavements and sidewalks, where the said improvement fronts upon lands which are by law exempt from taxation for the said purposes, the amount necessary to construct that portion of the said improvement fronting upon the lands so exempt as aforesaid may be charged on the other real property fronting on the improvement, or be assessed as the town's share of the cost of such improvement in like manner as the intersection of streets, or partly on both, in such proportions as may be deemed just and equitable by the engineer or inspector, and the cost of any portion assessed against the town shall be provided in like manner as in the case of street intersections.

7. Any allowance or assessment made in pursuance of the last two preceding sections shall be subject to appeal to the Court of Revision, and from the Court of Revision to the County Judge, as hereinafter provided.

8. In the construction of any granolithic, natural or artificial stone, asphalt or brick sidewalk, the municipality shall assume forty per cent. of the cost thereof, in addition to any other portion which may be assumed by or assessed against the municipality, and the said forty per cent. shall be added to that portion of the cost of construction of said sidewalk to be provided by the municipality, as in the case of street intersections.

8a. In the construction of macadam roads, the municipality shall assume $33\frac{1}{3}$ per cent. of the cost thereof, and of grading, levelling, paving, planking, curbing or boulevarding, in addition to any other portion which may be assumed by or assessed against the municipality, and the said thirty-three and one-third per cent. shall be added to that portion of the cost of the construction of said roadway, etc., to be provided by the said municipality, as in the case of street intersections.

9. All matters of small pieces of sidewalks and other improvements, the cost of which can be estimated and reported upon by the Inspector, shall be referred to him, and shall be reported upon by him, in the same manner as if referred to the engineer, and in such cases the word engineer shall be taken as meant inspector.

10. All costs incurred in carrying out the construction of any improvement, work or service, other than the construction itself, the overseeing of the same and providing the necessary funds, shall be borne by the municipality, and be provided in the same manner as in the case of street intersections.

11. No work or improvement for which it is proposed to assess the real property immediately benefited, as for a local improvement, shall be undertaken by the council unless and until the provisions of this by-law shall have first been complied with.

12. All petitions for local improvements, works or services, to be made, done and performed under the provisions of this by-law, shall, as soon as received by the clerk, be examined by him, and it shall be his duty to ascertain and finally determine whether the same are signed by two-thirds in number of the owners, representing at least one-half in value of the lands benefited, according to the last revised assessment roll of the municipality, and liable to special assessment for the proposed improvements, works or services, and such petitions when found to be correct, as aforesaid, shall be numbered by him in the order they are received, and be entered at length in a book to be kept for that purpose, to be called "The Local Improvement Book," and the clerk shall endorse upon such petition his certificate of the correctness thereof, and the value of the whole of the real property rateable for the proposed improvement, work or service, and shall forthwith so transmit the same to the engineer or inspector. In case the petitions shall be found to be insufficiently signed, they shall be so certified by the said clerk and forwarded in like manner to the engineer or inspector for his consideration.

13. Upon the receipt of any such petition the engineer or inspector shall forthwith examine into the subject matter of the petition, and report with as little delay as possible upon the necessity for, or the advisability of, undertaking the proposed improvement, work or service, and the reason therefor.

14. In the event of the engineer or inspector reporting in favor of the undertaking of any such improvement, work or service, he shall also, after due and proper examination and inspection, report :—

(a) What real property will be immediately benefited by the proposed improvement, work or service, and the measurement of the frontage liable to the rates, and those exempt from taxation ;

(b) The probable lifetime of the improvement or work ;

(c) An estimate of the probable cost of the proposed improvement, work or service, and the amount thereof, which shall be assessed against the property to be immediately benefited ;

(d) The proportion in which the assessment is to be made on the various portions of real property so benefited.

15. In the event of the adoption by the council of the report of the engineer or inspector recommending the undertaking of any such improvements, work or service, it shall be the duty of the clerk to give all necessary notice to property owners as hereinafter provided and as provided by the statute in that respect, and make all necessary special assessments on such property immediately benefited as aforesaid, pursuant to the statutes.

16. In any case when the engineer, or inspector or street committee shall have recommended the undertaking of any improvement, work or service, as a local improvement, and shall have recommended that the cost thereof shall be assessed against the real property immediately benefited, although there be no petition therefor, or the petition therefor shall not have been sufficiently signed, and in any case when the said engineer or street committee shall have recommended the construction of any works, the engineer or inspector shall, after due and proper examination and inspection, ascertain, determine and report, as hereinbefore set forth, and make the necessary assessment, and when such report and assessment has been approved of and accepted by the council, it shall be the duty of the clerk :

(a) To cause a notice of the intention of the said council to undertake such proposed work, improvement or service, and to make such proposed special assessment, to be given in a public newspaper published in the Town of Renfrew once in each week for two successive weeks, and the said notice shall state generally the nature of the proposed improvement, work or service, the estimated cost thereof, the property reported by the engineer as immediately benefited, and estimated amount to be charged as a special assessment against the lands immediately benefited, and that unless a petition against the proposed improvement, work or service, and the proposed special assessment, signed by a majority of the property owners, representing at least one-half in value of the real property proposed to be assessed, according to the last revised assessment roll, be presented to the council within one month from the last publication of the said notice, the proposed improvement, work or service will be undertaken, and the special assessment therefor will be made by the council.

17. In the event of a petition being presented to the council against any proposed improvement, work or service, and a special assessment therefor, within the time limited by the notice, the clerk shall report to the council whether the same is sufficiently signed by a majority of the owners of the real property proposed to be assessed, representing at least one-half in value of said property, according to the last revised assessment roll.

18. In the event of no petition, or no petition sufficiently signed, being presented within the prescribed time, the clerk shall forthwith cause a notice at least fifteen days before the day appointed for the sitting of the Court of Revision, to be given or mailed to the owners and lessees, or agents of such owners and lessees having a right to petition, of the real property mentioned in the report of the engineer as being immediately benefited, in the form of Schedule "A" hereunto annexed

annexed

nexed, stating the time and place of meeting of the Court of Revision for the hearing of appeals, and ten days' notice shall also be given in some newspaper published within the municipality, of the time and place of meeting of the said court, which notice shall specify generally what is the nature of the improvement, work or service, and what property is proposed to be specially assessed as immediately benefited, and the time and manner in which the same is payable, and the said notice may be in the form "B" hereunto annexed.

19. The engineer, clerk and solicitor shall attend the meetings of the Court of Revision, and the said court shall sit at the time and place given in the notices given as aforesaid, and shall hear and determine all appeals which may be brought before it, pursuant to the provisions of the statute in that behalf.

20. In the event of any property owner appealing from the Court of Revision to the Judge of the County Court, the clerk shall proceed forthwith to procure an appointment from the judge for the hearing and disposal of the appeal.

21. In the event of no appeals from the Court of Revision, or so soon as any such appeals shall have been disposed of by the judge, the clerk shall forward a certified copy of the report of the engineer, with any alterations or amendments which shall have been made by said Court of Revision or judge, to the council.

22. Upon the receipt of such report as last before provided, it shall be the duty of the street committee to call for tenders for the construction, making or doing of the proposed work, improvement or service, and report the result to the council, recommending the awarding of the contract, or recommending the carrying on of the work by the inspector or Engineer or under his supervision, and asking that funds be provided for carrying on the work to completion.

23. In the event of council adopting the report of the street committee awarding any such contract for any such local improvement, work or service, or the doing of any such work by the inspector or engineer, the mayor and treasurer shall make such arrangements with Banks or other persons or bodies corporate, pursuant to the provisions of the statute in that behalf, as may be necessary to provide the amount of money required to carry on such local improvement, work or service, to completion, in anticipation of the special assessment therefor, and no such contract or agreement shall be executed, or work proceeded with, until such financial arrangements shall have been made.

24. The engineer, upon receipt of notice that a contract has been awarded, and the necessary financial arrangements therefor have been made, shall forward the specifications, plans, drawings and all other proper and necessary material, together with the accepted tender, to the town solicitor, who shall, with as little delay as possible, prepare the necessary contract and bond of security.

25. Upon the contract or agreement being duly executed, and not until then, the street committee may authorize the improvement, work or service to be proceeded with and carried to completion.

26. After the completion of any such improvement, work or service, and after the entire cost thereof, including compensation for damages (if any) shall have been ascertained, the engineer shall certify the total amount thereof to the treasurer, showing by such certificate what amount is chargeable to the property benefited, and what amount is chargeable to the town at large.

27. The treasurer shall, as soon as possible after the receipt of the report of the engineer, under the last preceding section, ascertain the amount properly chargeable for interest on the advances made, and the estimated interest which will accrue thereon until the necessary assessment shall have been made, the necessary by-law passed, and the debentures to be issued thereunder shall have been disposed of, and moneys provided to retire the temporary loan, and certify the same, together with the amount shown by the engineer's report distributed as before provided to the council.

28. Upon the adoption of the last mentioned report the council shall, with as little delay as possible, proceed to make the necessary special assessment,

sessment, upon the property immediately benefited, and upon all other assessable persons, bodies corporate and property, pursuant to the provisions of the Statute in that behalf.

29. The engineer, treasurer and clerk shall furnish the solicitor with all statements, calculations and other information, as may be required by him to enable him to prepare the necessary by-laws, providing for levying and collecting such special assessments, and for borrowing money by the issue and sale of debentures.

30. Any person whose property has been assessed for any improvement, work or service, under the provisions of this by-law, may pay the amount of such assessment, less the interest, at any time before the preparation of the debentures, in which case the amount of debentures shall be proportionately reduced.

31. When a by-law shall have been passed, making the construction and maintenance of works and improvements at the intersection of streets and opposite properties exempt from local rates, the subject of a general rate or charge, the exemption from general rates shall not extend to the item included in the by-law respecting yearly rates to meet the expense of such improvements and works opposite such exempt properties and at the intersection of streets.

32. In cases where the improvements or works are provided for by section 664 to 668 of *The Municipal Act*, no real property or any owner thereof shall be entitled to the benefits of the provisions of the said Act and of this by-law in respect to exemption from any general rate during the year in which the by-law providing for any local improvement shall have been passed; and where any by-law for a local improvement provides for the issue of debentures, such debentures shall not be issued before the 30th day of December next after the passage of such by-law; and no special rate shall be collected in respect of any such by-law during the year in which the same shall have been passed.

33. This by-law shall come into force and take effect on, from and after the final passing thereof.

Finally passed, signed and sealed in open council this 25th day of July, A. D. 1899.

H. W. AIRTH,
Chairman and Acting Mayor.
J. K. ROCHESTER,
Clerk.



CHAPTER 69.

An Act to authorize the Council of the City of St. Thomas to pass a By-law for the issue of Debentures to pay the cost of rebuilding Wilson's Bridge.

Assented to 15th April, 1901.

WHEREAS the Municipal Council of the City of St. Preamble. Thomas has by petition represented that the wooden bridge, commonly called Wilson's Bridge, which is constructed on Elgin street, over Mill Creek, within the limits of the said city, has been condemned by the city engineer, and that it is desirable and necessary in the public interest and for the public safety, as well as for the purpose of carrying the track of The St. Thomas Street Railway Company, that the said bridge should be rebuilt with as little delay as possible with iron or steel superstructure on cement or stone foundations; and whereas the engineer of the said city estimated that the cost of the said bridge would be about \$20,000; and whereas by section 388 (a) of *The Municipal Act*, it is provided that the council of a city may by by-law passed at any meeting of the council, without submitting the same for the assent of the electors, raise such sum or sums of money as may be required, to pay the cost of rebuilding any existing bridge within the municipality, but not exceeding the sum of \$10,000 in any year; and whereas the Municipal Council of the City of St. Thomas has prayed that an Act may be passed authorizing the said council to pass a by-law for the issue of debentures for the purpose of raising such sum of money, not exceeding \$20,000, as may be required to pay the cost of rebuilding the said Wilson's Bridge, without submitting the same for the assent of the electors; and whereas it has been represented that since the said petition was presented tenders for the rebuilding of the said bridge have been received, from which it appears that the cost of the said bridge will exceed the said engineer's estimate by about \$7,000; and whereas the said municipal corporation has requested that it may be authorized to issue debentures for the sum of \$27,000 for the said purpose, instead of \$20,000 as prayed in the said petition; and whereas it has been made to appear that notice of the said request has been advertised in the said city in such manner as to bring the same to the knowledge of the rate-payers generally; and whereas there is no opposition whatever to the said request; and whereas it is expedient to grant the prayer of the said petition:—

Therefore

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Debentures
for \$20,000
authorized.

1. It shall and may be lawful for the Municipal Council of the City of St. Thomas to pass a by-law authorizing the issue of debentures of the said city for such sum not exceeding \$27,000 as may be required to pay the cost of rebuilding the said Wilson's Bridge with iron or steel superstructure on cement or stone foundations, and abutments.

Debentures
payable with-
in 20 years.

2. The said debentures shall be signed by the mayor and treasurer of the said City of St. Thomas and sealed with the corporate seal of the said city and shall be payable within twenty years after the date thereof.

Power to raise
money on
debentures.

3. The said corporation may raise by way of loan, from any person or persons, body or bodies corporate, who may be willing to advance the same upon the security of the said debentures, a sum of money not exceeding \$27,000 of lawful money of Canada.

Debt to be
payable in
annual
instalments.

4. The said debentures shall be payable in annual instalments within twenty years from the date of the issue thereof, such instalments to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be, to what is payable for principal and interest during each of the other years, of the said period of twenty years.

Interest on
debentures.

5. The said debentures shall bear interest at a rate not exceeding four per cent. per annum, from the date of the issue thereof, which interest shall be payable yearly at the office of the city treasurer in the City of St. Thomas, and the said debentures shall have coupons attached thereto for the interest and such coupons shall be signed by the city treasurer.

Special rate
for payment of
debentures
and interest.

6. For payment of the said debentures and interest, the Municipal Council of the City of St. Thomas shall impose on all the rateable property in the said city a special annual rate (over and above and in addition to all other rates and taxes) during the said period of twenty years, which special rate shall be sufficient to produce in each year the sum required to be raised for payment of the annual instalment of principal and interest falling due on the said debentures.

Application
of proceeds of
debentures.

7. The monies derived from the sale of the said debentures shall be applied by the said council in the payment of the cost of rebuilding the said Wilson's Bridge, and for no other purpose whatever.

8. It shall not be necessary to obtain the assent of the electors of the said city to the passing of the said by-law under this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Assent of electors not required.

Rev. Stat. c. 223.

9. No irregularity in the form of the said debentures, or of the by-law authorizing the issuing thereof, shall render the same invalid or illegal.

Informalities not to invalidate.

CHAPTER 70.

An Act respecting the Town of Sault Ste. Marie.

Assented to 15th April, 1901.

WHEREAS, the Council of the Corporation of the Town of Sault Ste. Marie has by petition represented that under section 18 of the Act passed in the 50th year of the reign of Her late Majesty Queen Victoria, chaptered 64, the said town is prohibited from carrying out any improvements within its limits except under the local improvement system, the said section requiring that all improvements shall be provided for by special assessment on the property benefited and that the said town is rapidly increasing in population and that many improvements are urgently needed, such as opening and grading streets, purchasing lands for new streets, constructing bridges, culverts, sewers, sidewalks and pavements, all of which cannot be equitably carried out on the local improvement plan ; and whereas the said municipal corporation has prayed that an Act may be passed repealing the said section ; and whereas the said municipal corporation has by the said petition represented that during recent years many parcels of land within the said town have been sold for taxes and tax deeds issued to the purchasers thereof ; that the proceedings in connection with the said tax sales were regular and in accordance with the provisions of law respecting the sale of land for arrears of taxes, but that owing to the hesitation with which titles based upon tax sales are accepted, the transfer of property within the said town has not been as free as it would be if all doubt were removed as to the validity of the said tax sales, and that owing to the said doubt with respect to titles within the said town, building operations therein have been retarded ; and whereas the said municipal corporation has

Preamble..
prayed

prayed that an Act may be passed validating all sales of land for arrears of taxes by the said town prior to the first day of January, 1901 ; and whereas it is expedient to grant the prayer of the said petition :—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

50 V. c 64, s.
18, repealed.

1. Section 18 of the Act passed in the 50th year of the reign of Her late Majesty Queen Victoria, chaptered 64 and intituled "An Act to incorporate the Town of Sault Ste. Marie," is hereby repealed.

Tax sales
confirmed.

2. All sales of land within the municipality of said town for arrears of taxes had before the first day of January, 1899, including sales of land which may have been purchased by the council of the said municipality, or any one on behalf of the said council, under the provisions of sub-section 3 of section 184 of *The Assessment Act*, and all tax deeds, issued in pursuance of such sales are hereby confirmed and validated, provided the taxes in respect of the said lands so sold were due for more than three years preceding the sale.

Land bought
in by Town
liable to be
taxed.

3. Any lands within the said town which at any sale for arrears of taxes heretofore have been or hereafter may be bought in by or for the said town shall be liable to be assessed for and charged with payment of all debenture, local improvement, school and general rates within the said town in the same manner and to the same extent in every respect as if the said lands did not belong to a municipal corporation.

Pending
actions not
affected.

4. Nothing herein contained shall affect any action pending at the time of the passing of this Act, or any action brought within thirty days after the passing of this Act, to set aside any sale of lands for taxes, but any such action may proceed and be determined in all respects as though this Act had not been passed.

CHAPTER 71

An Act respecting the Town of Sault Ste. Marie,
The Lake Superior Power Company and certain
other Companies and persons.

Assented to 15th April, 1901.

WHEREAS, the Corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, and certain other companies and persons, have by petition prayed that an Act may be passed to validate a certain agreement entered into between the Corporation of the Town of Sault Ste. Marie, The Lake Superior Power Company, and other companies and Francis Hector Clergue and Edward Varian Douglas, which agreement bears date the sixth day of July, 1900, subject to certain amendments hereinafter made in the said agreement for the purpose of removing ambiguities and making clear the true intent and meaning of the said agreement, and to legalize and confirm By-law No. 412 of the said Corporation of the Town of Sault Ste. Marie, authorizing the execution of the said agreement and to validate and confirm a certain other agreement dated the fifteenth day of March, 1901, made between the Corporation of the Town of Sault Ste. Marie and Francis Hector Clergue and Edward Varian Douglas and the Sault Sainte Marie Electric Light and Transit Company, and have further prayed that the said Corporation of the Town of Sault Ste. Marie and the said companies and individuals, parties to the said agreement, may be respectively authorized and empowered to do all things necessary to carry out the said several agreements according to their true intent and meaning and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition ;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law numbered 412, of the Corporation of the Town of Sault Ste. Marie, intituled "A by-law to authorize the execution of a certain proposed agreement between the Corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, other companies, and Francis Hector Clergue and Edward Varian Douglas" a copy of which by-law is set out as Schedule "A" to this Act is confirmed and declared to be legal, valid

Preamble.

By-law[412 of
Sault Ste.
Marie
confirmed.

valid and binding upon the Corporation of the Town of Sault Ste. Marie and the ratepayers thereof.

Agreement
between town
and Lake Sup.
rior Power
Co. *et al*
amended.

2. The agreement made between the Corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, other companies and Francis Hector Clergue and Edward Varian Douglas and dated the sixth day of July, 1900, a copy of which is set out as Schedule "B" to this Act is amended as follows :—

- (1) By striking out the paragraph numbered 4 in the said agreement, and substituting therefor the following: "4. The railway company further covenants with the corporation, that it will make its terminus for the said Town of Sault Ste. Marie during the period of twenty-five years hereinafter mentioned near the International Dock at the foot of Bruce street in the said Town of Sault Ste. Marie, and that it will there as soon as practicable within two years from the date hereof, build and erect a station and freight sheds and provide station grounds, wharfs, docks and docking facilities, and there maintain the same when so built, erected and provided until the expiration of the said period of twenty-five years."
- (2) By striking out the paragraph numbered 7 in the said agreement and substituting therefor the following: "7. The companies above named, jointly and severally covenant with the corporation, that the total force employed within and adjacent to the corporate limits by them and by other persons, companies, firms or corporations, which may become lessees of them, or any of them, or which may erect mills or works of any description on the property of them, or any of them, for manufacturing, milling or other purposes, and in the construction of the said works mentioned in paragraph 1 hereof and the said railway, and in the operation of the same after they are constructed, shall average at least two thousand men per working day during the said term of twenty-five years."
- (3) By striking out the words "daily except Sundays and holidays" where they occur in the paragraph numbered 8 of the said agreement.
- (4) By adding to the paragraph numbered 11 of the said agreement the following words: "Provided also that the buildings used as dwellings or for the sale to the public of merchandise other than the products of the said mills and works, shall during the term of sixteen years mentioned in paragraph 10 hereof, be taxable while so used as if this agreement

ment had not been made; but this provision is not to apply to or affect the 'Block-House' or the 'Murray House,' the last mentioned property being the south one hundred and sixty-five feet of Lot number Eighteen on the north side of Portage Street in the Town Plot of Sault Ste. Marie, which are to be included in the property for which the said sums are payable as aforesaid, as an annual tax."

(5) By striking out the word "that" after the word "agree" in the paragraph numbered 12 of the said agreement and by inserting after the words "one thousand eight hundred and ninety-nine" where they first occur in the said paragraph the words "that of" and by substituting for the word "lying" in the said paragraph the words "such only as lie" and by striking out the word "alone" where it first occurs in the said paragraph.

(6) By inserting in paragraph numbered 14 of the said agreement between the words "West street" and "lying south" the words "and the portion of West street."

(7) By striking out in the paragraph numbered 20 in the said agreement the words "in so far as the corporation has power to do so and" at the commencement of the said paragraph.

3. The said agreement dated the sixth day of July, 1900, set out as Schedule "B" to this Act as amended by section 2 of this Act is confirmed and declared to be legal, valid and binding upon the parties thereto.

Agreement between own and company et al confirmed as amended.

4. The agreement made between the corporation of the Town of Sault Ste. Marie, Francis Hector Clergue and Edward Varian Douglas and The Sault Sainte Marie Electric Light and Transit Company and dated the 15th day of March, 1901, a copy of which is set out as Schedule "C" to this Act is confirmed and declared to be legal, valid and binding upon the said parties thereto.

Agreement as to street railway confirmed

5. The Corporation of the Town of Sault Ste. Marie and the several companies, parties to the said agreements printed as Schedules "B" and "C" to this Act, may respectively make, construct, perform and do all things and acts agreed to be made, constructed, performed and done by them respectively, together with all other things and acts necessarily precedent or consequent or collateral or incidental thereto.

Parties authorized to do all things necessary to carry out agreements.

6. The said companies mentioned in said agreements printed as Schedules "B" and "C" to this Act, may respectively acquire and hold lands, and lands covered with water, and all other property, real or personal, and enter into any and

Power to acquire land etc.

all contracts respecting the same and all other matters and things whatsoever, expedient or necessary to the due construction and performance by them respectively of the works, things, covenants, agreements and stipulations on their respective parts contained in the said agreements.

Rev. Stat.
c. 224 not to
apply to com-
panies during
period for
which taxes
fixed.

7. *The Assessment Act* and the amendments thereto, shall not, during the periods mentioned in said agreement, printed as Schedule "B" to this Act, be applicable to the property in respect of which the annual payments mentioned in the said agreement as amended by this Act are agreed to be made and accepted in lieu of all taxes.

The Sault
Sainte Marie
Electric Light
and Transit
Company
empow-
ered to con-
struct street
railway.

8. The Sault Sainte Marie Electric Light and Transit Company, mentioned in the agreement, a copy of which is printed as Schedule "C" to this Act, may make, construct, equip and operate the Street Railway mentioned in that agreement and do and perform all acts and things agreed to be done and performed by it, or which may be precedent, consequent, collateral or incidental thereto.

Name of the
Sault Ste.
Marie Electric
L. and T. Co.
changed.

9. The name of The Sault Sainte Marie Electric Light and Transit Company is hereby changed to "The International Transit Company" and the said company is hereby continued as a body corporate and politic under the said name "The International Transit Company," with power to construct, equip, maintain and operate surface street railways in the Town of Sault Ste. Marie and in any municipality or unorganized township adjoining the said town and upon any bridge or bridges crossing the Sainte Mary's River.

Power to close
up certain
streets and
convey same
to companies.

10. The Corporation of the Town of Sault Ste. Marie may by deed or deeds, and without previous by-law or other formalities in that behalf, grant and convey in fee simple to some one or to all of the companies mentioned in said agreement printed as Schedule "B" to this Act, the streets and roads, and any portions thereof mentioned in the said agreement as amended by this Act; and upon delivery of such deed or deeds, the said streets and roads, or portions thereof thereby conveyed shall forthwith be closed as streets or roads and be vested in the grantee or grantees thereof in fee simple.

The Lake
Superior Pow-
er Co. declared
to have the
powers men-
tioned in Rev.
Stat. c. 197,
sec. 4.

11. For the purpose of removing doubts, it is hereby declared that The Lake Superior Power Company has, and always has had, since the Act passed in the 58th year of the reign of Her late Majesty Queen Victoria, chaptered 119, the powers mentioned and set out in section 4 of *The Ontario Mining Companies Incorporation Act*, and that, save as afore-said, none of the provisions of the said *The Ontario Mining Companies Incorporation Act* apply to or affect the said Company.

12. The said companies, The Lake Superior Power Company and Tagona Water and Light Company have, and shall have, respectively in addition to their respective other powers the powers set out in clauses (a), (b), (c), (d), (e), (f) and (g) of section 25 of *The Ontario Companies Act*. Certain companies to have certain powers under Rev. Stat. c. 191.

13. The former agreements made between the said municipal corporation and persons and some of the said companies, being the agreements set out in the schedules to the Act passed in the 58th year of the reign of Her late Majesty Queen Victoria chaptered 119, and in the schedule to the Act passed in the 62nd year of the said reign, chaptered 77, shall continue in full force and effect except in so far as they, or any of them, may be modified by subsequent agreement, and particularly by the agreements printed as Schedules to this Act. Former agreements continued in force.

14. Nothing in this Act contained respecting the closing of streets or roads or portions thereof shall affect the rights of any person whose lands or lands covered by water are in any way injuriously affected by such closing, and provided further, that compensation shall be paid by the Corporation of the Town of Sault Ste. Marie and the Algoma Central Railway Company to the owner or owners of said lands or lands covered by water injuriously affected by such closing, provided however that the respective rights of the said Corporation and the said Railway Company to indemnity or contribution or other relief as between themselves respecting such compensation shall not be affected by this section. Rights of persons injured by closing of streets preserved.

15 Nothing in this Act or in any of the schedules thereto contained shall be construed to authorize any of the individuals or companies therein mentioned to operate a street railway, tramway or electric railway, or to run cars or trams on the Lord's Day. Street Railway not to be operated on the Lord's Day.

SCHEDULE A.

BY-LAW No. 412.

A By-law to authorize the execution of a certain proposed agreement between the corporation of the Town of Sault Ste. Marie and The Lake Superior Power Company, other companies and Francis Hector Clergue and Edward Varian Douglas.

Whereas the proposed agreement hereto annexed marked "A" has been submitted to the council of the said corporation for execution ;

And whereas the said council deem it expedient to submit the said agreement embodied in a proposed by-law to authorize the execution thereof to a vote of the electors of the said town ;

And whereas according to the last revised assessment roll of the said town, being that for the year 1899, the amount of the whole rateable property

property of the municipality of the town of Sault Ste. Marie is the sum of \$1,067,577 ;

And whereas the amount of the existing debenture debt of the said municipality is the sum of \$388,312.92 ;

Therefore the municipal council of the corporation of the Town of Sault Ste. Marie enacts as follows :—

It shall and may be lawful for the mayor and the clerk of the town of Sault Ste. Marie and they are hereby authorized and empowered for and on behalf of the corporation of the town of Sault Ste. Marie and under the corporate seal of the said town to execute a certain proposed agreement hereto annexed marked “A” incorporated with and forming part of this by-law.

This by-law shall take effect on and after the final passing thereof.

And it is further enacted by the said council that the votes of the electors of the said town will be taken on this by-law by the returning and deputy-returning officers hereinafter mentioned on the twenty-fifth day of June, 1900, commencing at nine o'clock in the morning and continuing until five o'clock in the afternoon at the undermentioned places :

Ward No. 1—At the council chamber, James Bassingthwaighte, returning officer.

Ward No. 2—At Noble & Co's building, south side of Queen street; James Fraser, deputy returning officer.

Ward No. 3—At Joseph Davieux's house, corner of Tancred and Queen streets, Charles J. Pim, deputy returning officer.

That on the 23rd day of June, 1900, at the office of the clerk in the town of Sault Ste. Marie, at 11 o'clock in the forenoon, the mayor shall appoint in writing signed by him two persons to attend to the final summing up of the votes by the clerk and one person to attend to each polling place in behalf of the persons interested in and desirous of promoting the passing of this by-law and the like number on behalf of the persons interested in and desirous of opposing the passing of this by-law.

That the clerk of the said corporation shall attend at his office in the town of Sault Ste. Marie at the hour of twelve o'clock noon on the twenty-sixth day of June, A.D., 1900, to sum up the number of votes given for and against this by-law.

By-law read a first time this 23rd day of May, 1900.

(Sgd.) J. BASSINGTHWAIGHTE,

Town Clerk.

By-law read a second time this 23rd day of May, 1900.

(Sgd.) J. BASSINGTHWAIGHTE,

Town Clerk.

Read a third time, passed, signed and sealed this 6th day of July, 1900.

(Sgd.) W. H. PLUMMER,

Mayor.

(Seal.)

(Sgd.) J. BASSINGTHWAIGHTE,

Town Clerk.

SCHEDULE B.

THIS agreement made (in duplicate) this sixth day of July, A.D. 1900, between The corporation of the town of Sault Ste. Marie, hereinafter called “the Corporation,” of the first part ; The Lake Superior Power Company, hereinafter called “the Power Company,” of the second part ; The Sault Ste. Marie Pulp and Paper Company, hereinafter called “The Pulp Company,” of the third part ; Tagona Water and Light Company, hereinafter called “the Water Company,” of the fourth part ; The Algoma Commercial Company, Limited,

ited, hereinafter called "the Commercial Company," of the fifth part; Algoma Central Railway Company, hereinafter called "the Railway Company," of the sixth part, and Francis Hector Clergue, manufacturer, and Edward Varian Douglas, Esquire, both of the City of Philadelphia, in the State of Pennsylvania, of the seventh part.

Witnesseth that the parties hereto covenant and agree as follows :—

1. The Power Company, in consideration of the covenants herein contained on behalf of the said corporation, covenants with the said corporation that it or some one or more of the companies above named will build and construct, or where in the course of construction complete, or cause to be built, constructed or completed within the present corporate limits of the town of Sault Ste. Marie, in the province of Ontario, the following works, that is to say :—

- (a) Alkali and chemical works ;
- (b) A sulphite pulp mill having a minimum capacity of thirty-five tons of pulp daily ;
- (c) Smelting and reduction works having a capacity estimated at about five hundred tons of ore daily ;
- (d) Additional water power canal or canals and power house having a capacity of at least double that of the present water power canal owned and operated by the Power Company ;
- (e) A new machine shop of double the size of the present machine shop now operated in the said town by The Algoma Iron Works, to be run and operated in connection therewith.

2. The said Power Company further covenants with the corporation that the said works will be commenced within three months from the date of the ratification of this agreement by the Legislature of Ontario, and will be completed within three years from the said date, subject, however, to the exception hereinafter in this paragraph contained, and that in the meantime the construction thereof will be proceeded with with all convenient speed so that the same may and shall, subject to the said exception, be completed within the time herein limited ; provided always that accidents, labor strikes, and other circumstances beyond the control of the said Power Company shall excuse and release it from the completion of, or causing to be completed, the said works within the time herein specified ; but this proviso shall not excuse and release the said Power Company from finally completing the said works.

3. The Railway Company covenants with the corporation that it will proceed immediately with the construction of its line of railway from the said town of Sault Ste. Marie northerly and that it will complete the same to the Canadian Pacific Railway at as early a date as practicable, the same, however, to be completed within four years from the date hereof.

4. The Railway Company further covenants with the corporation that it will make its terminus for the said town of Sault Ste. Marie, during the period of twenty-five years hereinafter mentioned, near the International Dock at the foot of Bruce street, in the said town of Sault Ste. Marie, and that it will there build, erect and maintain a station and freight sheds and provide station grounds, wharves, docks and docking facilities and there maintain the same when so built, erected and provided during such period of twenty-five years.

5. The companies above named, and each of them, except the Railway Company, covenants with the corporation that an expenditure on the works mentioned in paragraph 1 hereof will be made of, at least, one million dollars.

6. The companies above named covenant with the corporation that an expenditure of, at least, one million dollars will be made in connection with the Railway Company's undertakings and works in and in the neighborhood of the town of Sault Ste. Marie, and in the matter of the construction and equipment of the railway line and the erection of such works as are necessary to place such undertakings and works in a completed

pleted state for the full operation of the same, and for other purpose in connection therewith.

7. The companies above named, and each of them, covenants with the corporation that in the construction of the said works and the said railway and in the operation of the same after they are constructed, there will be employed an average force of, at least, two thousand men within and adjacent to the said corporate limits.

8. The companies above named and each of them covenants with the corporation that such average force of two thousand men will be employed daily, except Sundays and holidays, throughout each year during the term of twenty-five years hereinafter mentioned; provided that accidents in and to the works and railways, labour strikes, inability to obtain such raw materials as are necessary to carry on and operate the said works, or to profitably dispose of the products thereof, or other circumstances beyond the control of the companies shall excuse and release them from the strict performance of this covenant; provided further that a breach in this covenant shall not be deemed to have taken place by the non-employment of the said average force of two thousand men during the said term of twenty-five years by reason of the temporary closing down of the said works or railway for the purpose of making repairs or alterations therein or thereto.

9. In consideration of the above covenants, the corporation covenants with all the other parties to this agreement and with each of them that the agreement entered into between the corporation and certain of the parties hereto, dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, (which agreement is set forth in Schedule "A" to the Act passed by the Legislature of Ontario in the sixty-second year of Her Majesty's reign and chaptered seventy-seven), shall be varied and the same is hereby varied so that from and after the first day of January, one thousand nine hundred and two, the annual tax payable thereunder for all the property therein mentioned shall be five thousand five hundred dollars (\$5,500 00) and that such sum of \$5,500.00, to be paid for taxes as aforesaid, shall, in addition to the taxes on all taxable property mentioned in the said agreement, also include all taxes, including school taxes, payable on all the taxable property of the railway company used for or in connection with the purposes of the said railway company, within the said Town of Sault Ste. Marie and the limits thereof hereinafter defined, and also all taxes, including school taxes, payable upon or in respect of the street railway hereinafter mentioned, and all the rolling stock and other property owned or used in connection with the said street railway, until the end of the year one thousand nine hundred and eight; and that until the first day of January, one thousand nine hundred and two, all the taxable property of the railway company within the said limits and of the said street railway and all the rolling stock and other property owned or used in connection therewith shall be included in the property for which the annual tax of five thousand dollars (\$5,000.00) is now payable under the said agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine; and the said agreement shall be read and construed so far as may be as if and as though the railway company had been and was a party thereto and the said street railway had been and was provided for therein.

10. Subject to the provisions of paragraph 12 hereof, the corporation further covenants with all the other parties hereto and with each of them that for and during the term of sixteen years from the first day of January, one thousand nine hundred and nine, the total taxes payable to the said corporation by all the said companies, parties to this agreement, and also all the persons, firms, corporations and companies mentioned and included in the said agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, and also for and in respect of the street railway hereinafter mentioned, and all the rolling stock and other property owned or used in connection with the said street railway, shall be the sum of seven thousand five hundred dollars (\$7,500.00) per annum; and all the said companies, parties to these presents, hereby covenant with the corporation that the said sum of \$7,500.00 will be paid on or

before

before the fourteenth day of December in each and every year of the said sixteen years without any abatement or reduction of any kind whatsoever, the first of such payments to be made on or before the fourteenth day of December, one thousand nine hundred and nine.

11. The said annual sums of five thousand five hundred dollars (\$5,500.00) and seven thousand five hundred dollars (\$7,500.00), payable for taxes as above mentioned, are to include, among other taxes, school taxes and taxes on the income and personal property of all the said companies in the said town, and no particular description in this paragraph is to limit or restrict the generality of the foregoing provisions; provided, however, that the property or income of any employee or employees of said companies or any of them or any property or lands not exempted by the said corporation by this or former agreements shall not be exempt from taxation by reason hereof.

12. It is understood and agreed that notwithstanding the foregoing provisions, or the provisions of the agreement dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, the lands of the railway company now acquired or hereafter to be acquired lying within the following limits in the said Town of Sault Ste. Marie shall alone be included in the property for which the said sums of \$5,500.00 and \$7,500.00 are payable respectively as an annual tax:

- (a) West of Gore street or Gore street produced.
- (b) South of Queen street from Gore street to Bruce street;
- (c) South of Bay street from Bruce street to East street;
- (d) South of a line drawn from East street to the easterly limit of park lot number sixteen in the first concession of park lots adjoining the town plot of Sault Ste. Marie parallel to and south of Queen street and distant therefrom four hundred feet; and south of a line drawn from the easterly limit of the said park lot number sixteen to the easterly limit of the corporation parallel to and south of Queen street and distant two hundred feet therefrom;

And all the lands now owned or controlled, or hereafter acquired, owned or controlled by the said railway company within the said Town of Sault Ste. Marie and outside the limits above defined shall be liable to taxation as if this agreement, and the said agreement, dated the twenty-fourth day of February, one thousand eight hundred and ninety-nine, had not been made; provided that no land within the said limits above defined now or hereafter acquired, owned or controlled by the said railway company shall be included in the property for which said annual tax is payable hereunder except and until the same is brought into use for railway purposes.

13. The property hereafter acquired or controlled by the railway company within the limits above set out shall, subject to the provisions in the next preceding paragraph hereof contained, be included in the property for which the said annual taxes are payable in the same manner as if it were now acquired, owned or controlled by it, and any land now lying outside the limits of the said town west of Gore street or Gore street produced, but which may hereafter be brought within the said limits, shall be affected by this agreement and in the same manner and as fully as if it were now within the limits of the said town.

14. The corporation covenants and agrees with the railway company to close up and grant to the railway company the portions of Elgin, Bruce, Denis, Tancred, Gore and Andrew streets in the said town which lie south of the southerly limits of Bay and Portage streets, when and so soon as the railway company acquires all the frontage on the south side of Bay street west of Bruce street, the said grant to be made to the said railway company free of charge therefor, and to be made subject to the right of the said corporation to construct sewers thereunder; and the corporation covenants and agrees with the railway company to close up and grant to the railway company free of charge therefor Portage street from the east limit of Hudson street to the west limit of West street lying south of the southerly limit of Superior street produce west

when

when and so soon as either or any of the said companies acquire the frontage of the lands on the north side of said Portage street lying between Hudson and West streets, except the right of way of the Canadian Pacific Railway and the streets running into and connecting with the said Portage street.

15. The corporation further covenants with the said companies and with each of them to close up as roads the road now leading from the corner of George and Superior streets to Cathcart street, and also the road connecting the same with the present travelled Base Line Road in the Township of Awenge.

16. The said parties of the seventh part covenant and agree with the corporation that within two months from the execution of this agreement by all the parties hereto, a by-law sanctioning it having first been submitted to a vote of the electors qualified to vote thereon, they will commence to construct and will equip and have completed and ready for operation by the first day of July, one thousand nine hundred and one, a surface street railway to be operated by electricity upon the trolley system from the vicinity of the Power Company's works in the west end of the said town of Sault Ste. Marie to Upton Road in the eastern portion thereof, and that the said street railway will be maintained and kept in operation for a period of twenty-five years from the first day of July, one thousand nine hundred and one, and will be constructed and operated in accordance with the terms, provisions and specifications mentioned and set forth in Schedule "A" hereto annexed.

17. In consideration of the covenant in the last preceding paragraph hereof contained and all the other covenants herein contained on the part of the companies, the corporation doth by these presents grant unto the said parties of the seventh part, their heirs, executors, administrators and assigns, the free and exclusive right, power and authority for a period of twenty-six years from the first day of July, one thousand nine hundred, and no longer, to operate surface street railways in the town of Sault Ste. Marie, in the District of Algoma, including therein all territory which may hereafter be brought within the limits of the said town, but which at present is not therein, upon the terms and conditions and subject to the agreements hereinafter and in said Schedule "A" mentioned and set forth.

18. And the said parties of the seventh part, for themselves, and each of them for himself and for their and each of their heirs, executors, administrators and assigns, covenant, promise and agree to and with the corporation, their successors and assigns, that they will fulfil all the conditions, stipulations and undertakings in this agreement and in said Schedule "A" contained; and it is understood, declared and agreed by and between the said corporation and the parties of the seventh part, that if the said parties of the seventh part should form or cause to be formed a joint stock company for the purpose of carrying into effect the provisions of this agreement in regard to the said street railway, or should assign all their rights under this agreement in regard to the said street railway to a company already in existence for the purpose of carrying the said provisions of this agreement into effect, then such company shall, upon executing the necessary contract of substitution, be substituted for the parties of the seventh part in all respects as regards the provisions of this agreement in respect to such street railway, and the said provisions of this agreement shall cease to apply to the said parties of the seventh part individually, who shall thenceforth be discharged from all individual liability in the premises, and the corporation agrees with the parties of the seventh part and each of them to execute the said contract of substitution so soon as such company has executed it.

19. It is understood, declared and agreed that the said parties of the seventh part, their heirs, executors, administrators and assigns, are to have the exclusive right to build and operate the said street railway on any and all the streets of the said town, including all streets which said corporation may hereafter acquire jurisdiction or authority over, free of charge or rental therefor, and they hereby covenant with the corporation to maintain a single or double track, or a single track with switches, side

tracks

tracks or turnouts, as to the said parties of the seventh part may from time to time seem proper, along Queen and Superior streets from Upton road to Huron street during the said period of twenty-five years from the first day of July, one thousand nine hundred and one.

20. In so far as the corporation has power to do so, and subject to the undertakings, terms, conditions and agreements entered into between said corporation and the Government of Canada, the said corporation hereby grants to the Power Company, its successors, lessees and assigns, the right, free of charge or rental therefor, to erect such portions of its works on the portion of Huron street lying south of Superior street as it or they may from time to time require; provided, however, that not less than thirty-six feet in width of said street shall be kept open at all times for the use of the travelling public along said street; and hereby further grants to the Power Company, its successors, lessees and assigns, the right, free of charge or rental therefor, to bridge or build over the said street and to erect such works or buildings upon or otherwise use such bridge as they may from time to time require; provided, however, that the lower side of such bridge or building or bridges or buildings be, at least, sixteen feet from the level of said Huron street; and provided, further, that said Power Company releases, and it does hereby release, the said corporation from its obligation and liability to it to erect and build the necessary bridges on the said street and to maintain the same, and that the Power Company shall indemnify and save harmless the corporation from any liability it may be under to construct any bridge or bridges on said Huron street which may be rendered necessary by the works of any of the said companies; provided, further, that the Power Company, its successors, lessees and assigns, do not assume liability to erect and build the necessary bridges on the said street, notwithstanding anything herein contained, except so far as it is liable to so under its agreement to indemnify the corporation in respect thereof as aforesaid; provided, further that this grant shall not give to the said Power Company the right to the fee in the said portions of the said street by reason of undisturbed possession thereof, or otherwise; and provided further that the Power Company shall at all times have the same rights, powers and privileges in, over, upon and with respect to the portion of Huron street lying between Superior street and the former south limit of Portage street for the purpose of constructing and excavating a tail-race or tail-races in, across, over and upon the same and all other purposes as it has in, over, upon and with respect to the road-way granted by it to the corporation and which forms a continuation of Huron street southward.

21. For and during the years one thousand nine hundred and twenty-six and one thousand nine hundred and twenty-seven all the taxes payable in respect of the said street railway and all the rolling stock and other property used or owned in connection therewith shall be five hundred dollars (\$500.00) per annum, and the said sum shall include school taxes as well as municipal and other taxes.

22. That said companies agree with the corporation to pay all the expenses connected with any application to the Legislature of Ontario for an Act to confirm this agreement, and all the expenses in connection with the passing of a by-law by the electors sanctioning this agreement; and the corporation pledges itself to assist all the companies in procuring the passage of such Act so soon as the same is applied for in the manner in which the said companies may require such assistance.

23. This agreement and all the covenants and conditions herein contained are, in so far as it is beyond the present power of the corporation to enter into it and them, subject to ratification and confirmation by the Legislature of Ontario, and the corporation, if it executes this agreement, incurs no liability hereunder unless and until the same is ratified by the said Legislature, save as to the portions of this agreement which it may now legally make and enter into which are to be binding on the corporation from and after the execution hereof by the corporation.

In witness whereof the parties hereto have duly executed these presents.

Signed

Signed, sealed and delivered in the presence of	(Sgd) W. H. PLUMMER, Mayor. [Town Seal.]
	(Sgd) J. BASSINGTHWAIGHTE, Clerk.
	(Sgd) THE LAKE SUPERIOR POWER Co. By F. H. CLERGUE, V-Pres't. [Seal.]
(Sgd) N. SIMPSON, as to ex- ecution by the corporation, and of	(Sgd) THE SAULT STE. MARIE PULP AND PAPER COMPANY. By F. H. CLERGUE, Pres't. [Seal.]
	(Sgd) TAGONA WATER AND LIGHT COMPANY. By F. H. CLERGUE, President. [Seal.]
(Sgd) N. SIMPSON, as to ex- ecution by the companies and the parties of the seventh part.	(Sgd) THE ALGOMA COMMERCIAL COMPANY, LIMITED. By F. H. CLERGUE, President. [Seal.]
	(Sgd) ALGOMA CENTRAL RAILWAY Co. By F. H. CLERGUE, President. [Seal.]
	(Sgd) FRANCIS H. CLERGUE. [Seal.]
	(Sgd) EDWARD VARIAN DOUGLAS. [Seal.]

Schedule A referred to in the annexed agreement between the corporation of the Town of Sault Ste. Marie, The Lake Superior Power Company, The Sault Ste. Marie Pulp and Paper Company, Tagona Water and Light Company, The Algoma Commercial Company, Limited, Algoma Central Railway Company, Francis Hector Clergue and Edward Varian Douglas, dated the sixth day of July, A.D. 1900.

1. The parties of the seventh part mentioned in said agreement shall be permitted, without let or hindrance from the corporation, its successors or assigns, to construct, maintain and operate an iron or steel railway track or tramway with the necessary culverts, switches and turnouts, for the passage of cars, carriages and other vehicles adapted to the same, in, upon and along any and all of the streets of the town of Sault Ste. Marie, Ontario, including all streets over which said corporation may hereafter acquire jurisdiction or authority.

2. All works necessary for constructing and laying down the said railway or tramway shall be made in a substantial manner suitable to the traffic and with due regard to the growth and requirements of the town.

3. The tracks and turnouts shall conform to the grades of the streets as furnished by the town engineer, and the parties of the seventh part shall not in any way change or alter the same except with the approval of the said engineer; but in all cases where it is found necessary in determining the grades of the said rail or tramway to lay the same at a different grade from the street or road, then in such cases the said parties of the seventh part shall make up or depress the grade of the said street to conform with the grade of the rail or tramway; the top of the rails shall be laid flush with the street as nearly as practicable and the gauge of the said rail or tramway shall be four feet eight and one half inches, or such other gauge as to the parties of the seventh part may from time to time seem proper.

4. The said corporation shall have the right, and it shall be lawful for it after twenty days' written notice of its intention so to do, to take up any parts of the streets or highways traversed by the rail or tramway of the said parties of the seventh part for the purpose of altering the grade thereof, constructing or repairing sewers, drains, culverts or street crossings, or for laying down or repairing water pipes, or for any other purpose or purposes within the province and privileges of a municipal corporation, and the parties of the seventh part shall not be entitled to any compensation for damages occasioned thereby to the working of the said rail or tramway or works connected therewith or otherwise howsoever; provided that the corporation shall bear the cost of taking up and replacing the tracks, rails and works and of putting the same in as good a condition as when they were taken up.

5. The cars, eams and vehicles of the said parties of the seventh part shall have the first right of way over the said rail or tramway and all vehicles and persons travelling on that portion of the said highway occupied by the said rail or tramway shall turn out upon meeting or being overtaken by any car or vehicle of the said parties of the seventh part so as to give such car or vehicle free right of way.

6. The parties of the seventh part shall run, at least, one car each way hourly each day on a regular timetable between the hours of 6 a.m. and 10 p.m. except prevented by accident or storms or excessive depth of snow, in any of which cases due diligence shall be exercised to put the line again into operating condition.

7. The speed of the cars shall never exceed ten miles per hour.

8. No higher fare than five cents shall be charged for the conveyance of each passenger for a continuous journey the full distance one way on the line within the present limits of the town.

9. The parties of the seventh part shall be liable for all damages arising out of the improper or negligent construction, repair or operation of the said rail or tramway, and the said parties of the seventh part shall hold the corporation in all respects harmless in respect thereof, and, upon demand, shall forthwith pay to the corporation all sums payable by or recovered against the said corporation in respect of any such claims arising from the causes above mentioned, together with all costs of or incidental to such claims incurred by the corporation; provided, however, that such claims have in no way arisen from the negligence, omissions or other default or defaults of the said corporation apart from said rail or tramway.

10. Should the parties of the seventh part neglect to keep their track or roadway or crossings or ballasting in good condition according to the terms of this agreement, or to have the necessary repairs according to this agreement made thereon, the said corporation may give written notice requiring such repairs to be forthwith made; and if after such notice the said parties of the seventh part do not within one week begin and carry to completion with all reasonable diligence the necessary repairs then such necessary repairs may be made by the corporation at the expense of the said parties of the seventh part.

11. At the expiration of this franchise, if no renewal for a like period be granted by the corporation on the same terms as above mentioned, the corporation shall take over, and pay the parties of the seventh part for, the property of the said parties of the seventh part at a valuation to be determined by arbitration in the manner provided by *The Arbitration Act*, and in estimating the value of the said street railway and its plant and property the arbitrators shall take into account the earning powers thereof at the date of the arbitration and allow the parties of the seventh part accordingly.

12. It is understood and agreed that wherever the parties of the seventh part are herein referred to such reference shall be to, and shall include, their heirs, executors, administrators and assigns, and the heirs, executors, administrators and assigns of each of them, who shall be affected by the foregoing provision in the same manner as if they were in each case specially mentioned.

In witness whereof the said corporation and the said parties of the seventh part have duly executed these presents the sixth day of July, A.D., 1900.

Signed, sealed and delivered }
in the presence of } (Sgd) W. H. PLUMMER, Mayor.

(Sgd) N. SIMPSON, as to ex- } (Sgd) J. BASSINGTHWAITE, Clerk.
ecution by the Corporation, } [Town Seal.]
and of }
(Sgd) N. SIMPSON, as to ex- } (Sgd) FRANCIS HECTOR CLERGUE. [Seal.]
ecution by the parties of }
seventh part. } (Sgd) EDWARD VARIAN DOUGLAS. [Seal.]

This

SCHEDULE C.

This agreement made (in triplicate) the fifteenth day of March, A.D. 1901, between The corporation of the Town of Sault Ste Marie (hereinafter called "the Corporation"), of the first part; Francis Hector Clergue, manufacturer, and Edward Varian Douglas, Esquire, both of the City of Philadelphia, in the State of Pennsylvania, of the second part; and the Sault Sainte Marie Electric Light and Transit Company (hereinafter called "the Company") of the third part.

Whereas the parties of the second part, in pursuance of provisions contained in a certain agreement dated the 6th day of July, 1900, made between the corporation and the parties of the second part, amongst other parties, have agreed to assign to the Company all their rights under said agreement in regard to the street railway therein mentioned for the purpose of carrying into effect the provisions of said agreement in regard to the *said* street railway.

And whereas the parties hereto have, in pursuance of said agreement, agreed that the company shall be substituted for the parties of the second part in all respects as regards the provisions of said agreement in respect to such street railway, and have agreed that the assignment from the parties of the second part to the company and the contract of substitution stipulated for in said agreement shall be incorporated in this agreement.

Now therefore this agreement witnesseth that the parties hereto in consideration of the premises, and in pursuance of the terms of said agreement of July 6th, 1900, hereby mutually consent and agree to the following grants, covenants, agreements and stipulations, that is to say :—

1. The parties of the second part hereby grant, transfer, assign and set over to the company all their right, title and interest under and by virtue of the said agreement to the free and exclusive right, power and authority for a period of twenty-six years from the first day of July one thousand nine hundred, and no longer, to operate surface street railways in the Town of Sault Ste. Marie in the District of Algoma, including therein all territory which may hereafter be brought within the limits of the said town, but which at present is not therein, upon the terms and conditions and subject to the agreements hereinafter mentioned and set forth.

2. The said corporation hereby grants and confirms to the company the free and exclusive right, power and authority for a period of twenty-six years from the first day of July, one thousand nine hundred, and no longer, to operate surface *street* railways in the Town of Sault Ste. Marie in the District of Algoma, as in the next preceding paragraph mentioned.

3. The company covenants and agrees with the corporation that it will construct and equip and have completed and ready for operation by the first day of July, one thousand nine hundred and one, a surface street railway to be operated by electricity upon the trolley system from the vicinity of the works of The Lake Superior Power Company in the west end of the said town of Sault Ste. Marie to Upton Road in the eastern portion thereof, and that the said street railway will be maintained and kept in operation for a period of twenty-five years from the first day of July, one thousand nine hundred and one, and will be constructed and operated in accordance with the terms, provisions and specifications hereinafter mentioned.

4. It is understood, declared and agreed that the company, its successors and assigns, is to have the exclusive right to build and operate the said street railway in any and all the streets of the said town, including all streets which said corporation may hereafter acquire jurisdiction or authority over, free of charge or rental therefor. And it hereby covenants with the corporation to maintain a single or double *track*, or a single track with switches, side-tracks or turnouts, as to the said company may from time to time seem

proper

proper, along Queen and Superior streets from Upton Road to Huron street during the said period of twenty-five years from the first day of July, one thousand nine hundred and one.

5. The company shall be permitted without let or hindrance from the corporation, its successors or assigns, to construct, maintain and operate an iron or steel street railway track or tramway with the necessary culverts, switches and turnouts, for the passage of cars, carriages and other vehicles adapted to the same in, upon and along any and all of the streets of the town of Sault Ste. Marie, Ontario, including all streets over which said corporation may hereafter acquire jurisdiction or authority.

6. All works necessary for constructing and laying down the said railway or tramway shall be made in a substantial manner suitable to the traffic and with due regard to the growth and requirements of the town.

7. The tracks and turnouts shall conform to the grades of the streets as furnished by the town engineer, and the company shall not in any way change or alter the same except with the approval of the said engineer; but in all cases where it is found necessary in determining the grades of the said railway or tramway to lay the same at a different grade from the street or road then in such cases the *company* shall make up or depress the grade of the said street to conform with the grade of the railway or tramway; the top of the rails shall be laid flush with the street as nearly as practicable and the gauge of the said railway or tramway shall be four feet eight and one-half inches, or such other gauge as to the company may from time to time seem proper.

8. The said corporation shall have the right, and it shall be lawful for it after twenty days' written notice of *its* intention so to do, to take up any part of the streets or highways traversed by the railway or tramway of the said company for the purpose of altering the grade thereof, constructing or repairing sewers, drains, culverts or street crossings, or for *the* laying down or repairing water pipes, or for any other purpose or purposes within the province or privileges of a municipal corporation, and the company shall not be entitled to any compensation for damages occasioned thereby to the working of the said railway or tramway or works connected therewith or otherwise howsoever; provided that the corporation shall bear the cost of taking up and replacing the tracks, rails and works and of putting the same in as good a condition as when they were taken up.

9. The cars, teams and vehicles of the company shall have the first right of way over the said railway or tramway and all vehicles and persons travelling on that portion of the said highway occupied by the said railway or tramway shall turn out upon meeting or being overtaken by any car or vehicle of the company so as to give such car or vehicle free right of way.

10. The company shall run, at least, one car each way hourly each day on a regular time-table between the hours of 6 a.m. and 10 p.m. except prevented by accident or storms or excessive depth of snow, in any of which cases due diligence shall be exercised to put the line again into operating condition.

11. The speed of the cars shall never exceed ten miles per hour.

12. No higher fare than five cents shall be charged for the conveyance of each passenger for a continuous journey the full distance one way on the line within the present limits of the town.

13. The company shall be liable for all damages arising out of the improper or negligent construction, repair or operation of the said railway or tramway, and the company shall hold the corporation in all respects harmless in respect thereof, and, upon demand, shall forthwith pay to the corporation all sums payable by or recovered against the said corporation in respect of any such claims arising from the causes above mentioned, together with all costs of or incidental to such claims incurred by the corporation; provided, however, that such claims have in no way arisen from the negligence, omissions or other default or defaults of the said corporation apart from said railway or tramway.

14. Should the company neglect to keep its track or roadway or crossings or ballasting in good condition according to the terms of this agreement or to have the necessary repairs according to this agreement made thereon, the said corporation may give written notice requiring such repairs to be forthwith made; and if after such notice the company do not within one week begin and carry to completion with all reasonable diligence the necessary repairs then such necessary repairs may be made by the corporation at the expense of the company.

15. At the expiration of this franchise, if no renewal for a like period be granted by the corporation on the same terms as above mentioned, the corporation shall take over and pay the company for the property of the company at a valuation to be determined by arbitration in the manner provided by The Arbitration Act, and in estimating the value of the said street railway and its plant and property the arbitrators shall take into account the earning powers thereof at the date of the arbitration and allow the company accordingly.

16. The corporation hereby forever releases and acquits the parties of the second part from their covenant and covenants contained in the said agreement respecting the said street railway, and hereby accepts the company in the place and stead of the parties of the second part, and the company is hereby substituted for the parties of the second part, as regards the said street railway and the covenants, agreements and stipulations relating thereto contained in the said agreement of July 6th, 1900, and the parties of the second part are hereby discharged from all individual liability in the premises.

In witness whereof the corporation has hereunto affixed its seal and caused to be set the hands of its mayor and clerk the parties of the second part have hereunto set their hands and seals and the company has hereunto affixed its seal and caused to be set the hand of its president.

Signed, sealed and delivered in the presence of

(Sgd) J. EWART IRVING.

(Sgd) W. J. THOMPSON, Mayor.

[Town Seal.]

(Sgd) J. BASSINGTHWAIGHTE, Clerk.

(Sgd) FRANCIS H. CLERGUE. [L S.]

(Sgd) EDWARD V. DOUGLAS. [L S.]

By F. H. CLERGUE,

His Attorney.

(Sgd) THE SAULT SAINT MARIE ELECTRIC
LIGHT AND TRANSIT COMPANY.

By F. H. CLERGUE,

President. [Seal.]

CHAPTER 72.

Assented to 15th April, 1901.

An Act respecting certain By-laws concerning Drainage in the Townships of Tilbury West, Tilbury North, Tilbury East, Romney and Mersea.

WHEREAS the Corporation of the Township of Tilbury West, in the County of Essex, has, by petition, represented that Big Creek Drain and its branches, known as East Branch and West Branch is a drainage work or system partly in the Township of Tilbury West and partly in the Township of Tilbury North and was constructed in the years 1875, 1876 and 1877 by the Government of the Province of Ontario, at the instance of the Township of Tilbury West, which was then comprised of the territory now divided into the Townships of Tilbury West and Tilbury North; that the cost of the said work was paid with the money raised by an assessment of the lands and roads in the Townships of Tilbury West, Romney and Mersea, liable therefor under the laws then in force in Ontario respecting Drainage and Local Assessment therefor; that the said drainage work as then constructed, in addition to draining large parts of Tilbury West (then including Tilbury North) was the trunk outlet for the drainage for large areas in Romney, Mersea and Tilbury East, some 46,400 acres in all, as more fully appears by the report of Wm. Newman, C.E., set forth in Schedule "A" hereinafter referred to; that in the year 1896 the said drainage work had become out of repair and was insufficient to retain and carry off the waters brought into it and damages were caused thereby to the lands and roads along the course of the drainage work in Tilbury West and actions and suits-at-law were threatened against the Township of Tilbury West for such damages by the owners of the lands so damaged and demands were made upon the said township to improve and repair the said work; that the Townships of Romney and Mersea had enlarged the various drains in their respective municipalities bringing waters into said drainage works; that the said townships then contemplated and have since carried out further extensions of the drains in their respective municipalities conveying waters to the said Big Creek Drain, and necessitating the enlargement thereof; that being advised upon the law that they were legally bound to keep the drain in repair, and knowing that simply restoring it to its original size would leave it wholly inadequate, the Township of Tilbury West in the year 1896 began proceedings under *The Drainage Act, 1894*, and amendments, for the repair

Preamble.
and

and improvement of the said drainage work, and procured an engineer, Wm. Newman, Esq., P.L.S., a person competent for that purpose, to examine and report upon the same and to make an assessment of the lands and roads liable to be assessed as provided for by the said Act and amendments; that the said engineer made such examination and reported thereupon to the Council of the Township of Tilbury West by his written report dated the 15th February, 1897, whereby he recommended the repair, extension and improvement of the said work at an estimated cost of \$45,673, and he assessed and charged the said sum against the lands and roads in the Townships of Tilbury North, Tilbury West, Tilbury East, Romney and Mersea in the following proportions:—

Tilbury North, the sum of	\$14,730 90
Tilbury West, “	13,260 70
Tilbury East, “	1,911 60
Romney, “	7,748 20
Mersea, “	8,021 60

and the Engineer prepared and submitted to the council plans including profiles of the proposed work; that the said report, estimate and assessment and the plans, and specifications of the work so recommended were received by the council of the Township of Tilbury West and were adopted, and pursuant to section 61 of *The Municipal Drainage Act* copies of the said report, plans, specifications, assessment and estimates were served upon the heads of the municipalities of Mersea, Romney, Tilbury East and Tilbury North above mentioned in the months of February or March, 1897; that no appeal was taken from or against the said report, plans, specifications, assessment and estimates by any of the municipalities interested, except by Tilbury East whose appeal was settled; that the Township of Tilbury West held a Court of Revision and finally settled the assessments within Tilbury West and on the 3rd day of July, 1897, finally passed a by-law (numbered 45) adopting the same and authorizing the proposed work and the issue and sale of debentures to pay its portion of the cost of the same and levying the assessment therefor, and a copy of the said by-law containing a true copy of the said report, specifications, estimates and assessments is set forth in the Schedule hereto annexed and marked “A”; that all the other townships interested being Mersea, Romney, Tilbury East and Tilbury North held Courts of Revision and finally settled the assessments within their respective municipalities and finally passed similar by-laws adopting the said report, plans, specifications, assessments and estimates and authorizing the issue and sale of debentures to raise their respective proportions of the cost of said drainage work and authorizing the payment over of the same to the Township of Tilbury West; that the by-law of the Township of Mersea was finally passed on the 31st day of July, 1897, and is by-law number 579 of the said Township of Mersea; that the by-law of the Township of Romney was finally passed on the 11th day of, October

October, 1897, and is by-law number 601 of the said Township of Romney; that the by-law of the Township of Tilbury East was finally passed on the 22nd day of November, 1897, and is by-law number 35 of the said Township of Tilbury East; that the by-law of the Township of Tilbury North was finally passed on the 10th day of July, 1897, and is by-law number 76 of the said Township of Tilbury North; that after the time for appealing against the said report had elapsed and after it was ascertained that there where no appeals the Township of Tilbury West issued and sold debentures and through the Commissioners appointed by its said by-law, advertised for tenders, and on the 3rd day of July, 1897, let the contracts for the said work, and the work was thereupon proceeded with; that the Township of Tilbury West under the provisions of section 77 of said Act advanced moneys out of the general funds of the township to expedite and complete said work in anticipation of the levies and collectionstherefor; that the Township of Mersea issued and sold its debentures, and on or about the 21st day of June, 1898, paid its proportion of the said cost over to the Township of Tilbury West; that the Township of Tilbury East issued and sold its debentures, and on or about the 31st day of March, 1898, paid its proportion of the said cost over to the Township of Tilbury West; that the Township of Tilbury North issued and sold its debentures, and on or about the 15th day of January, 1898, paid its proportion of the said cost over to the Township of Tilbury West, and the Township of Tilbury West and all the other municipalities aforesaid including the Township of Romney have gone on under their said by-laws and some of them have levied and collected rates that have accrued due since the final passing of their said by-laws, but the Township of Romney owing to the legal proceedings hereinafter referred to has not yet paid over its proportion of the cost of the said work nor any portion thereof, although it has negotiated for the sale of its debentures and has collected the rates from the ratepayers assessed within its municipality; that the said drainage work in its operation since completion has proved to be a most successful and useful work and all the municipalities assessed have derived great advantage therefrom and in the Township of Romney particularly the fullest advantage has been taken of the facilities for better drainage afforded by the said work; and since the construction of the said work Romney and the land owners therein have constructed or enlarged drains having outlets directly or indirectly into the said Big Creek Drain and have completed a most efficient system or net work of main drains and lateral drains, by means of which thousands of acres in Romney have been brought under successful cultivation that could not have been successfully cultivated before; that while the east branch of Big Creek was in the course of construction by the Township of Tilbury West, the Township of Romney for its own purposes let a contract to the contractor upon that portion of the work for the further enlargement and improvement of the said east branch at a cost of \$1,000 and caused such work to

be done; that the Township of Romney issued its debentures and began negotiations for the sale of the same, but before the same were finally sold, although after the time had elapsed in which the said by-law could be moved against, an action was begun against Romney at the suit of one of Romney's ratepayers assessed for the said work, namely, The Sutherland Innes Company, Limited, a joint stock company holding several hundred acres of land in Romney and not engaged in agricultural pursuits but solely in the manufacture of cooperage stock, whereby it was sought to have the said by-law of Romney declared ultra vires and void and to have the Township of Romney enjoined from further proceeding with the said by-law or disposing of the said debentures; that the said action was tried before the Hon. Mr. Justice Ferguson at Chatham, and on the 6th day of September, 1898, judgment was delivered dismissing the action with costs; that the said Sutherland Innes Company, Limited, appealed from the said decision to the Court of Appeal and the appeal was heard by the court composed of the Hon. Sir George W. Burton, Chief Justice, the Hon. Mr. Justice McLennan, the Hon. Mr. Justice Moss and the Hon. Mr. Justice Lister, and on the 14th day of November, 1899, the said court delivered judgment and unanimously concurred in dismissing the appeal with costs; that the plaintiffs further appealed to the Supreme Court of Canada and their appeal was heard before that court composed of the Hon. Mr. Justice Taschereau the Hon. Mr. Justice Gwynne, the Hon. Mr. Justice Sedgewick and the Hon. Mr. Justice Girouard, (the Hon. the Chief Justice and the Hon. Mr. Justice King being absent), and on the 4th day of October, 1900, judgment was delivered by the Supreme Court allowing the appeal and declaring that the attempt to impose any charge upon the plaintiffs' lands was without authority or jurisdiction and enjoining and restraining Romney from taking any further steps or proceedings under their said By-law No. 601; that although the Township of Tilbury West was not a party to the action of Sutherland vs. Romney and although the said report, plans, specifications, assessment and estimates are not in express terms declared invalid by the said judgment of the Supreme Court, yet the effect of the said judgment is to cast great doubt upon the validity of the proceedings of the Township of Tilbury West and of the said report and assessment as well as upon the proceedings of all the other municipalities which have passed by-laws and issued and sold debentures and which are and have been levying rates under their said by-laws, and the Township of Romney now finds itself unable to sell its debentures and unable to raise its proportion of the cost of the work to be paid over to the Township of Tilbury West and the Township of Tilbury West is unable to recoup its general funds in respect of the moneys advanced and appropriated in anticipation of the receipt from Romney of its portion of the cost of the work; that the Council of the Township of Romney has all along expressed its willingness to raise and pay over its proportion of the cost of the said work and from the

the commencement of the work has urged the Township of Tilbury West on with the same, and is yet ready and willing to pay so much of its said assessment as can be validly charged against the lands assessed in the said township; that all the other townships interested are desirous of seeing the proceedings above referred to of the Township of Tilbury West confirmed and that such confirmation should extend to the by-laws and assessments and proceedings of the said other townships; and whereas, subject to the provisions hereinafter set forth, it is expedient to grant the prayer of the said petition.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows —

1. The said by-law of the Township of Tilbury West, being by-law number 45 of the said township, a copy of which is set forth in the Schedule hereto, marked "A," and the report and assessment of the said engineer therein set forth are validated and confirmed. By-law of Tilbury West confirmed.

2. The said by-law of the Township of Mersea, being by-law number 579 of the said township, subsidiary to the said by-law of the said Township of Tilbury West, finally passed on the 31st day of August, 1897, is also validated and confirmed. By-law of Mersea confirmed.

3. The said by-law of the Township of Romney, being by-law number 601 of the said township, subsidiary to the said by-law of the said Township of Tilbury West, finally passed on the 11th day of October, 1897, is also validated and confirmed. By-law of Romney confirmed.

4. The said by-law of the Township of Tilbury East, being by-law number 35 of the said township, subsidiary to the said by-law of the said Township of Tilbury West, finally passed on the 22nd day of November, 1897, is also validated and confirmed. By-law of Tilbury East confirmed.

5. The said by-law of the Township of Tilbury North, being by-law number 76 of the said township, subsidiary to the said by-law of the said Township of Tilbury West, finally passed on the 10th day of July, 1897, is also validated and confirmed. By-law of Tilbury North confirmed.

6. The debentures issued or to be issued by the said several municipalities under the said by-law to provide the money for the said drainage work shall be valid in the hands of the purchasers and shall be binding upon the corporation issuing them to the extent of the money actually advanced on the security and interest thereon, according to the provisions of the same, and the said several by-laws shall not be quashed or set aside on any ground whatever. Debentures validated.

Provisions of
Rev. Stat., c.
226 to apply
except as to
maintenance.

7. The provisions of *The Municipal Drainage Act* and amendments thereof shall apply to the said Drainage Work and to the said report and assessments and the said by-laws and proceedings thereunder, except that no obligation for future repairs or maintenance shall be imposed on any of the said municipalities by virtue of this Act.

Adjustment of
costs of action.

8. The costs paid or payable by the Township of Romney, and the costs of the said township as between solicitor and client, and of The Sutherland Innis Company, (Limited), which last mentioned costs are fixed at eleven hundred dollars, as its costs between solicitor and client in the action of The Sutherland Innis Company, Limited, against the Municipal Corporation of the Township of Romney, together with the costs of the action of the Township of Tilbury West against the Township of Romney, which are fixed at the sum of two hundred and fifty dollars to be divided as follows, one hundred dollars to the Township of Tilbury West and one hundred and fifty dollars to the Township of Romney, are declared to be costs of and incidental to the Drainage Work under the provisions of section numbered 86 of *The Municipal Drainage Act*.

Action of Til-
bury West to
be discon-
tinued.

9. The action of the Township of Tilbury West against the Township of Romney shall be discontinued by the plaintiffs therein and at their own expense.

Romney
authorized to
issue debent-
ures and levy
rate.

10. It shall be lawful for the Township of Romney to issue its debentures payable within one year beyond the time provided by its said By-law No. 601, and to levy the rate omitted from the roll for the year 1900, during the year following the term of years fixed by the said by-law.

Costs to be
paid by Rom-
ney and de-
ducted from
its share of
cost of work.

11. The Township of Romney shall pay the costs provided for by section 8 of this Act and deduct the amount from the sum of \$7,748.20, being its proportion of the assessment for the Drainage Work, and pay over the balance of such sum (with whatever interest may be payable thereon), within thirty days after the amount of the said costs shall have been ascertained.

Audit of ex-
penditure on
drainage
work.

12. The Corporation of the Township of Tilbury West, shall, within fifteen days after the passing of this Act submit for audit to J. B. Laing, Esquire, Provincial Municipal Auditor, a full and complete detailed account of the cost of and incidental to the construction and completion of the Big Creek Drainage Work upon the report of William Newman, Ontario Land Surveyor, together with all books containing any entry relating thereto and all papers, receipts, cheques, contracts, orders, documents, and vouchers, for the purpose of a correct audit of such account; and the said Auditor shall ascertain the exact sum properly and legally chargeable to the said Drainage Work under the provisions of *The Municipal Drainage Act*.

13. This Act shall not affect the appeal now pending of one George Morris, against the Township of Tilbury North, from his assessment, in respect of the said Drainage Work.

Appeal
against assess-
ment of Til-
bury North
not affected.

SCHEDULE A.

BY-LAW No. 45.

A By-Law to provide for extending and for otherwise improving Big Creek, in the Townships of Tilbury North and Tilbury West, and for borrowing on the Credit of the Municipality of Tilbury West, the sum of (\$13,487.30) the proportion to be contributed by said Municipality of Tilbury West for completing the same. Provisionally adopted the fifteenth day of March, A. D., 1897, and amended the tenth day of May, A.D., 1897.

Finally passed the 3rd day of July, A.D. 1897.

Whereas a drain, known as "Big Creek Drain," was constructed in the Township of Tilbury West, as originally constituted under the authority of the Ontario Drainage Act, and much greater quantities of surface water are collected and drained into it by the Municipality of Romney, in the County of Kent, and the Municipality of Mersea, in the County of Essex, as well as by the said Municipality of Tilbury West, now divided into the Municipalities of Tilbury North and Tilbury West, than the said drain is capable of carrying off, and the said drain is used by the said Municipalities as an outlet for surface water, and the water so brought into the said drain by the Municipalities of Romney and Mersea as well as by the Municipalities of Tilbury North and Tilbury West, cause the said surface water from the Municipalities to flow upon and injure the lands in the Townships of Tilbury North and Tilbury West.

And whereas complaints have been made from time to time to the Municipality of Tilbury West of such overflow and injury to said lands therein, and of the insufficient outlet, and it is necessary to extend and improve the outlet to said drain, and otherwise to improve the drain, in order to provide for such water and prevent such overflow and injury of said lands.

And whereas a drain known as "Trembley Creek Drain," being a branch of Big Creek Drain, was constructed in the original Township of Tilbury West and in Tilbury East, under the authority of the Ontario Drainage Act, at the same time as the Big Creek Drain was constructed, and much greater quantities of surface water are collected and drained into it by the Township of Tilbury East, in the County of Kent, as well as by the present Municipality of Tilbury North, than the said drain is capable of carrying off, and the water so brought into the said drain cause the surface water to flow upon and injure lands in the Township of Tilbury North.

And whereas complaints have been made to the Municipality of Tilbury West of such overflow and injury to the said lands therein, and of the want of sufficient outlet, and it is necessary to extend and improve the said drain to provide for such water and prevent such overflow and injury of said lands.

And whereas it is necessary to prevent the waters coming down Big Creek proper from overflowing the lands adjacent to Trembley Creek near the junction of Trembley Creek with Big Creek, and it is also necessary to prevent the water coming down Trembley Creek from overflowing the lands near

near the said junction of the two creeks, that both of the said creeks should be embanked for a sufficient distance to prevent such overflow and that such embankment should be continued northerly a sufficient distance to confine the waters until they reach the Grand Trunk Railway.

And whereas the said council of Tilbury West has procured an examination to be made by Wm. Newman, civil engineer, being a person competent for such purpose, to examine and report on the said drains and the means suggested for the improvement thereof, and procured him to make an examination of the localities affected by said drains and of the outlet proposed to be improved and extended, and of the lands and roads liable to assessment under the Drainage Act, 1894, and amending Acts, and has also procured plans, specifications, and estimates of the drainage work to be made by the said William Newman, and an assessment to be made by him of the lands and roads to be benefitted by such drainage works, and all other lands and roads liable for contribution thereto, stating as nearly as he can the proportion of benefit, outlet liability and injuring liability which in his opinion will be derived or incurred in consequence of such drainage works by every road and lot, or portion of lot, the said assessment so made being the assessment of the lands and roads in the said Municipalities of Tilbury North, Tilbury West, Tilbury East, Romney and Mersea, respectively, as are set out in the report of the said engineer as hereinafter set forth, and the report of the said William Newman, C. E., in respect thereof, and of the said drainage works, being as follows:—

WINDSOR, February 15th, 1897.

The Reeve, Deputy-Reeve and Council of the Township of Tilbury West :

Gentlemen,—In compliance with instructions received from your honorable body, whereby I was instructed to make an examination, survey, plans, report, etc., of Big Creek Drain and its branches in your township and the Township of Tilbury North, I have made the necessary examination, survey, plans, etc., and now beg to report as follows :

LOCATION OF CREEK.

Big Creek joins the River Thames a short distance easterly of where the river joins Lake St. Clair, thence following the creek up stream it takes a southerly course from its junction with the River Thames for a short distance to where it is crossed by the Grand Trunk Railway, thence it continues in a generally southerly direction for about half a mile where it divides, one branch known as Baptiste Creek, taking a south easterly direction into the township of Tilbury East, in the County of Kent. The main branch or Big Creek, taking a south westerly direction for about a mile and a half, when another branch known as Trembly Creek branches off, taking a southerly direction. The main creek from the junction of Trembly Creek on lot 20, in the 1st concession, of the Township of Tilbury North, takes a south westerly direction to the 2nd concession road on lot 18. Thence it takes a generally southerly course, until the 7th concession road is reached, when it divides on lot 15, in the 7th concession, the westerly branch taking a west and south course, until the townline between Mersea and Tilbury West is reached. On the line between lots 11 and 12 in the 11th concession, of the township of Tilbury West, there connecting with artificial drains from the township of Mersea. The east branch takes a south-easterly direction, until the townline between Tilbury North and Romney is reached, at the north-west angle of Romney, there connecting with artificial drains, from the township of Romney, in the County of Kent. The drainage work heretofore constructed in Big Creek and its branches by local assessment, extended as far north as the 4th concession road or thereabouts in Tilbury North. In the Trembly Creek, the drainage work constructed by local assessment extended north to a point in the 2nd concession just north of the Canadian Pacific Railway. The whole work having been originally constructed in one scheme, under the Ontario Drainage Laws :

DRAINAGE AREA OF BIG CREEK PROPER.

In the township of Tilbury North there are about	11500 acres
In the township of Mersea	9800 acres
In the township of Tilbury West	15600 acres
In the township of Romney	9500 acres

Thus making a total of about46400 acres
of land, the water of which is carried by Big Creek to a point where it is
joined by Trembly Creek.

“DRAINAGE AREA OF TREMBLY CREEK.”

There are about 4,500 acres of land in the township of Tilbury North, the waters of which drain into Trembly Creek. In the township of Tilbury East there are about 4 600 acres the waters of which drain into Trembly Creek ; thus making a grand total of 55,400 acres of land draining into Trembly Creek, Big Creek and its branches, and thence by the main channel of Big Creek to the River Thames. The present channel of Big Creek being too small to retain and carry off the waters draining into it, and as a large percentage of this enormous area is being rapidly cleared and converted into farming land, it will be seen that a much larger outlet is required than the present channel of Big Creek.

“CONDITION OF DRAINS.”

I find that the Big Creek drainage works in many places are badly in need of repairing and enlarging, so as to enable them to carry the waters off the lands originally intended to be drained, and discharge them beyond the Grand Trunk Railway, and thus prevent damage to the lands in Tilbury West and Tilbury North.

There are a number of places on both the east and west branches of Big Creek, where the sides of the drain have slid in, and trees, brush, etc., have grown up in the sides of the drain, until the capacity of the drain is not much more than half what it was when first constructed.

“PLAINS AND WET WOOD LANDS.”

In the Township of Tilbury North there are about 4,500 acres of open plains and wet wood lands, which are subject to floods at every freshet ; caused by the waters of the Big Creek, including the Trembly Creek branch, overflowing their banks and spreading over the entire district. The greater portion of the plains are from one to three feet above the level of the lake, and will be greatly benefited by the proposed dyking, which is designed to prevent the overflow of the waters.

The lands in the southern parts of the Townships of Tilbury North, in the south and easterly portions of Tilbury West, in the north and north-easterly portions of Mersea, in the south-easterly part of Tilbury East, and the north and north-westerly parts of Romney, are composed of a large and almost level district, with a slight decline in a generally north-westerly and northerly direction.

In the southerly parts of Tilbury North and Tilbury West, the east and west branches of Big Creek take their rise, and flow in a northerly direction, until they reach the River Thames, near Lake St. Clair. The townships whose lands are assessed for the Big Creek drainage work have constructed a regular system of drains in their respective townships for miles, which conduct their waters into the Big Creek drainage works, and thence into the River Thames, and the drains in their system have been enlarged and improved from time to time, conducting greater volumes of water into the Big Creek drain, and thereby causing the overflowing of the banks, and damage to the adjacent lands.

In order to better maintain this drain and its branches, and to prevent damage to lands and roads affected thereby, I recommend that the drain
be

be cleaned out and enlarged, commencing in the west branch at the Mersea and Tilbury West townline, and in the east branch at the Romney and Tilbury North townline, and that the outlet be improved and the drainage works be extended north to a point beyond the Grand Trunk Railway.

I further recommend that a dyke be built on each side of Big Creek from the Grand Trunk Railway to the Canada Southern Railway, and that the Trembly Creek Branch be dyked from its junction with the main channel of Big Creek to the Canadian Pacific Railway lands, all in accordance with the plans, profiles, and specifications of the works submitted herewith.

"TREMBLY CREEK BRANCH."

It is necessary in order to protect the lands lying at or near the junction of Trembly Creek Branch with Big Creek proper, to embank both channels, as the waters coming down either would overflow the lands adjoining both the Trembly Creek Branch and Big Creek proper, and a better outlet is provided by my scheme for the waters of Trembly Creek.

I have therefore taken the two creeks up together and assessed all the lands lying north of the 3rd Concession Road in Tilbury North as if they were all in one creek flats, but the lands lying south of the 3rd Concession Road whose waters find an outlet in Trembly Creek, I have assessed with what I consider a fair proportion of the cost of the works on Trembly Creek, and on Big Creek, from where it is joined by Trembly Creek to the Grand Trunk Railway Bridge. All the lands in Tilbury East that are assessed find an outlet for their waters in Trembly Creek, and therefore I have assessed them the same as lands in Tilbury North whose waters find an outlet in Trembly Creek, that is with a fair proportion of the costs of improving Trembly Creek from the Canadian Pacific Railway to its junction with Big Creek and Big Creek from its junction with Trembly Creek to the Grand Trunk Railway.

"DRAIN OUTLETS."

In my estimate I have provided for a sufficient number of automatic outlets for all lateral drains entering Big Creek between the Canada Southern Railway and the Grand Trunk Railway. These outlets are composed of cast iron pipe and vitrified sewer pipe, with automatic valves on the inner end, and arranged in such a manner that they remain closed when the water is high in the creek, and open when the water is low in the creek and high on the adjoining lands.

"HIGHWAY BRIDGES."

I have provided in my estimate for the construction of six new Highway Bridges and the repairing of one old Highway Bridge in the Township of Tilbury North, at an estimated cost of \$3,600. In the Township of Tilbury West, I have provided for the construction of three new and the repairing of two old Highway Bridges, at an estimated cost of \$1,700, making a total estimate of \$5,300 for bridges. Of this amount I have assessed the drainage system with \$2,118.25, the Municipality of Tilbury north with \$2,081.75, and the Municipality of Tilbury West with \$1,100, as is provided in Sub-section 1 of section 9 of the Drainage Act of 1894. All the Highway Bridges are to be composed of one single span, set on stone abutments, and built in a first class manner. It is useless to spend large sums of money for drainage works, and allow them to be practically dammed up by improperly constructed bridges. The new Iron Bridge on the 3rd Concession Road is too low, and its abutments should be raised at least two feet, in order to raise the bridge above any possible chance of the waters flowing over it. I have provided for this in my estimate.

"FARM

"FARM BRIDGES."

In my estimate I have provided for the following Farm Bridges one over main channel of Big Creek on Lot 15 M. R. N. cost \$30, one over East Branch of Big Creek on Lot 16 in the 7th Concession cost \$25, one over East Branch of Big Creek on Lot 17 in the 7th Concession cost \$25, one on Lot 17 in the 8th Concession cost \$25, one over West Branch on Lot 14 in the 7th Concession cost \$50, one over West Branch on Lot 12 in the 9th Concession cost \$25, being a total cost for Farm Bridges of \$180 and I have fixed the said sums as the value to be paid to the respective owners of the said land for the construction and enlargement of the said bridges, as provided in section 9, sub-section three, Drainage Act, 1894.

My estimate of the cost of the whole of the above works, as per plans and specifications is the sum of \$41,521.

To this amount I have added 10 per cent. for incidental expenses making a total estimate of \$45,673.

Of this sum I have assessed the Township of Tilbury North with the sum of \$11,889.15 on lands, the sum of \$761 on roads, the sum of \$2,081.75 for bridges, thus making the total assessment of Tilbury North, \$14,730.90 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Tilbury West with the sum of \$11,512.70 on lands, the sum of \$640.00 on roads, the sum of \$1,100.00 for bridges, thus making the total assessments of Tilbury West \$13,260.70 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Tilbury East with the sum of \$1,798.80 on lands, the sum of \$112.80 on roads, thus making the total assessment of Tilbury East \$1,911.60 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Romney with the sum of \$7,353.20 on lands, and with the sum of \$395.00 on roads, thus making the total assessment of Romney \$7,748.20 as set forth in the schedule of assessment hereto annexed.

I have assessed the Township of Mersea with the sum of \$7,608.80 on lands and the sum of \$412.80 on roads, thus making the total assessment of Mersea \$8,021.60 as set forth in the schedule of assessment hereto annexed.

The material from the drain shall be disposed of as shown by the specifications submitted herewith.

I would recommend that this drainage work be carried out in every particular as set forth in this report and as more fully described in the specifications, plans and drawings, which you will find accompanying this my report.

I would further recommend that the drainage work be kept up and maintained at the expense of the lands and roads in the different Municipalities assessed for its repairs and improvements, and in proportion to the assessments herein contained, until otherwise determined by an Engineer under the provisions of the Drainage Act and amendments thereto.

Accompanying this my report you will find copies of this report, specifications, plans and drawings, for services upon the Townships of Tilbury North, Tilbury East, Romney and Mersea, as is provided in section 61 of the Drainage Act of 1894.

All of which is respectfully submitted.

WM. NEWMAN.

Engineer for Tilbury West.

DETAILED ESTIMATES.

	Estimated cost of work.	10% for Incidentals.
Dyking main channel of Big Creek from the Grand Trunk Railway bridge to Trembly Creek, a distance of about 9,600 feet (at sixty cents per foot)	\$ 5,760 00	\$ 576 00
From Junction Trembly Creek with Big Creek proper southward on Trembly Creek to the Canadian Pacific Railway, a distance of about 8,000 feet (at 45 cents per foot)	3,600 00	360 00
From Junction of Trembly Creek with Big Creek following Big Creek to the Canada Southern Railway Bridge, a distance of about 26,200 feet (at 60 cents per foot)	15,720 00	1,572 00
Total estimate for dredging	\$ 25,080 00	\$ 2,508 00
From Canada Southern Railway to Concession 7 road, a distance of about 13,800 feet.	\$ 3,650 00	\$ 365 00
East Branch of Big Creek from its Junction Main Creek to Townline between Tilbury North and Romney, a distance of 18,600 feet	2,281 00	228 00
West Branch of Big Creek from the 7th Con- cession Road to the 9th Concession Road, a distance of 16,400 feet	2200 00	220 00
West Branch of Big Creek from the 9th Con- cession Road to the Mersea and Tilbury West Townline a distance of 15,200 feet.	2,230 00	223 00
Total for dyking and excavating.	\$ 36,041 00	\$ 3,604 00

BRIDGES IN TILBURY NORTH.

New bridge over Trembly Creek on Tecumseh Road	\$ 500 00	\$ 50 00
Rising abutments of Iron Bridge on 3rd Con- cession	100 00	10 00
New bridge on Big Creek, on 4th Concession Road	800 00	80 00
New bridge over Big Creek, on 5th Concession Road	700 00	70 00
New bridge over East Branch of Big Creek, on 8th Concession Road	500 00	50 00
New bridge on 18 and 19 Sideroad	500 00	50 00
New bridge over East Branch of Big Creek, on the 9th Concession Road	500 00	50 00
Total for bridges in Tilbury North.	\$ 3600 00	\$ 360 00

BRIDGES IN TILBURY WEST.

Repairing Middle Road Bridge over Big Creek	\$ 100 00	\$ 10 00
New bridge on 12 and 13 Sideroad, over West Branch of Big Creek	500 00	50 00
New bridge on 9th Concession Road, over West Branch of Big Creek	500 00	50 00
New bridge on 10th Concession Road over West Branch of Big Creek	500 00	50 00
Repairing bridge on 11th Concession Road over West Branch of Big Creek	100 00	10 00
Total for bridges in Tilbury West	\$ 1700 00	\$ 170 00

Estimated

	Estimated cost of work.	10% for Incidentals.
Seven farm bridges in Tilbury North and West	180 00	18 00
Total for bridges in Tilbury North and West	\$ 54800 00	\$ 548 00
Total estimate for construction.....	\$ 41521 00	\$ 4152 00
Total for incidental expenses.....	4152 00	
Total estimate.....	\$ 45673 00	

Windsor, Feb. 15th, 1897.

WM. NEWMAN, C. E.

SCHEDULE

SCHEDULE A.

SCHEDULE of lands and roads in the Township of Tilbury West assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of im- provement.
11	w half 4	100	Cyrus Malott .....	.....	\$50 00	\$30 00	\$80 00
	w half e half 4	50	Samuel Lynn .....	.....	25 00	15 00	40 00
	e half e half 4	50	Albert Lynn .....	.....	25 00	15 00	40 00
	w half 5	100	Wm. Calder .....	.....	50 00	30 00	80 00
	e half 5	100	David Lynn .....	.....	50 00	30 00	80 00
	s part 6	99	H. A. Nelson .....	.....	49 50	29 70	79 20
	s quarter n half 6	25	Samuel Stein .....	.....	12 50	7 50	20 00
	n three-quarters n half 6	7½	Wm. Elliott .....	.....	37 50	22 50	60 00
	s half 7	100	James McCracken .....	.....	50 00	30 00	80 00
	n half 7	100	James Vanhorne .....	.....	50 00	30 00	80 00
	n quarter 8	50	Henry White .....	.....	25 00	15 00	40 00
	w one-third s three-qrs. 8	50	J. Terryberry .....	.....	25 00	15 00	40 00
	middle third s three-qrs. 8	50	M. R. Anderson .....	.....	25 00	15 00	40 00
	e one-third s three-qrs. 8	50	D. Kinsman .....	.....	25 00	15 00	40 00
	w half s half 9	50	D. Kinsman .....	.....	25 00	15 00	40 00
	w half n half 9	50	Francis Birce .....	.....	25 00	15 00	40 00
	w half e half 9	50	R. Kinsman .....	.....	25 00	15 00	40 00
	e half e half 9	50	John Kinsman .....	.....	25 00	15 00	40 00
	w half s half 10	50	A. R. Irendergas .....	.....	25 00	15 00	40 00
	e half s half 10	50	Wm. Hannah .....	.....	25 00	15 00	40 00
	w half n half 10	50	C. Pettit .....	.....	25 00	15 00	40 00
	e half n half 10	50	James Lindsay .....	.....	25 00	15 00	40 00
	e half n half 11	50	S. Reive .....	.....	2 00	15 00	40 00
	w half n half 11	50	Non resident .....	.....	25 00	15 00	40 00
	s half 11	100	Non resident .....	.....	50 00	30 00	80 00

w half s half 12	50	James McIntosh	25 00	15 00	40 00
e half s half 12	50	John Tilson	25 00	15 00	40 00
w half n half 12	50	Charles Mongeon	25 00	15 00	40 00
e half n half n half 12	50	R. Robb	25 00	15 00	40 00
n half 13	100	M. Prendergast	50 00	30 00	80 00
s half 13	100	S. Kitchen	50 00	30 00	80 00
w half 14	100	I. Wilson	50 00	30 00	80 00
e half 14	100	John McIntosh	50 00	30 00	80 00
w half 15	100	John McNarland	50 00	30 00	80 00
e half 15	100	John Thompson	50 00	30 00	80 00
s half 16	100	W. G. Lang	50 00	30 00	80 00
e three quarters n half 16	75	A. Shaulier	37 50	22 50	60 00
w quarter n half 16	25	W. Story	12 50	7 50	20 00
lot 17	200	Cameron estate	100 00	60 00	160 00
w half s half 18	50	Thomas Buchanan	25 00	15 00	40 00
w half n half 18	50	A. Buchanan	25 00	15 00	40 00
e half 18	100	D. Johnston	50 00	30 00	80 00
n quarter w half 19	25	W. Owens	12 50	7 50	20 00
s three-quarters w half 19	75	W. J. Bell	37 50	22 50	60 00
w half e half 19	50	Thomas Bell	25 00	15 00	40 00
e half e half 19	50	David Bell	25 00	15 00	40 00
s half 20	44	H. Powell	22 00	13 20	35 20
n half 20	44	J. T. Gahan	22 00	13 20	35 20
lot 4	200	Cameron estate	100 00	60 00	160 00
w half s half 5	50	D. Chatterton	25 00	15 00	40 00
e half s half 5	50	W. Warren	25 00	15 00	40 00
w half n half 5	50	Mrs. J. Bell	25 00	15 00	40 00
e half n half 5	50	W. Dalgleish	25 00	15 00	40 00
n quarter 6	50	Jane Vanidour	25 00	15 00	40 00
s part n half 6	49	W. M. Goathe	24 50	14 70	39 20
n half s half 6	50	R. McNaughton	25 00	15 00	40 00
s half s half 6	50	James Crozier	25 00	15 00	40 00
w half 7	100	William Ludlam	50 00	30 00	80 00
e half 7	100	J. N. Dutot	50 00	30 00	80 00
w half 8	100	James Dutot	50 00	30 00	80 00
e half n half 8	50	George Taylor	25 00	15 00	40 00
e half s half 8	50	Mrs. J. Truskey	25 00	15 00	40 00
e half n half 9	50	J. H. Watson	25 00	15 00	40 00
e half s half 9	50	J. E. Manley	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name	Value. of benefit	Value of outlet liability.	Value of injuring liability.	Total value of im- provement.
	e half n half w half 9	25	A. Vanidour .....	.....	12 50	7 50	20 00
	e half s half w half 9	25	N. Ryckman .....	.....	12 50	7 50	20 00
	w quarter 9	50	G. A. and W. J. Taylor .....	.....	25 00	15 00	40 00
	w half s half 10	50	Ed. Jory .....	.....	25 00	15 00	40 00
	w half n half 10	50	Alexander Sova, Jr .....	.....	25 00	15 00	40 00
	e half 10	100	N. Nelson .....	.....	50 00	30 00	80 00
	e half n half 11	50	Eli Uch .....	.....	25 00	15 00	40 00
	w half n half 11	50	Thomas Uch .....	.....	25 00	15 00	40 00
	w half s half 11	50	Wm. Magee .....	.....	25 00	15 00	40 00
	e half s half 11	50	John Magee .....	.....	25 00	15 00	40 00
	s half 12	100	William Traquair .....	.....	50 00	30 00	80 00
	s half n half 12	50	A. Washburn .....	.....	25 00	15 00	40 00
	n half n half 12	50	James Wilson .....	.....	25 00	15 00	40 00
	n part 13	99	John Mellow .....	.....	49 50	29 70	79 20
	n half s half 13	50	D. Strang .....	.....	25 00	15 00	40 00
	s half s half 13	50	R. Parish .....	.....	25 00	15 00	40 00
	n half 14	100	John A. Mellow .....	.....	50 00	30 00	80 00
	s half 14	100	John Traquair .....	.....	50 00	30 00	80 00
	n three-quarters n half 15	75	George Robb .....	.....	37 50	22 50	60 00
	s quarter n half 15	25	Thomas Dunmore .....	.....	12 50	7 50	20 00
	w half s half 15	50	Thomas Dunmore .....	.....	25 00	15 00	40 00
	e half s half 15	50	W. Storey .....	.....	25 00	15 00	40 00
	w half s half 16	50	P. Donohue .....	.....	25 00	15 00	40 00
	e half s half 16	50	Ed. Falconer .....	.....	25 00	15 00	40 00
	w half n half 16	50	Canada Co .....	.....	25 00	15 00	40 00
	e half n half 16	50	Canada Co .....	.....	25 00	15 00	40 00
	w half n half 17	50	F. Benoit .....	.....	25 00	15 00	40 00
	e half n half 17	50	R. McKeown .....	.....	25 00	15 00	40 00

w half s half 17	50	D. Dalgleish	25 00	15 00	40 00
e h lf s half 17	50	James Gahan	55 00	15 00	40 00
s half n half 18	50	Peter Marchand	25 00	15 00	40 00
n half n half 18	50	W. Glazier	25 00	15 00	40 00
s half s half 18	50	S. Moffatt	25 00	15 00	40 00
n quarter s half 18	25	P. ter Marchand	12 50	7 50	20 00
s half n half s half 18	25	Jos. Marchand	12 50	7 50	20 00
s half n half 19	50	Jos. Marchand	25 00	15 00	40 00
n half n half 19	50	Wm. Benoit	25 00	15 00	40 00
n half s half 19	50	Ed. Marchand	25 00	15 00	40 00
s half s half 19	50	O. Authier	25 00	15 00	40 00
Gore lot 20	84	E. Haviland	42 01	25 20	67 20
s half 4	100	H. Lindsay	50 00	30 00	80 00
w part n half 4	50	Jennet Frazer	25 00	15 00	40 00
e half n half 4	50	R. W. Kenneley	25 00	15 00	40 00
n part 5	98½	I. Corman	49 62	29 38	79 00
s part 5	96½	John Calder	48 25	28 95	77 20
s half w half 6	50	R. W. Kennedy	25 00	15 00	40 00
n part w half 6	49	M. Lambert	24 50	14 70	39 20
e half 6	100	Andrew Wight	50 00	30 00	80 00
n half 7	100	R. Shanks	50 00	30 00	80 00
s half 7	100	George J. Jones	50 00	30 00	80 00
w half n half 8	50	W. Breen	50 00	30 00	80 00
e half n half 8	50	John Breen	25 00	15 00	40 00
w half s half 8	50	James Dutot	25 00	15 00	40 00
e half s half 8	50	R. Barton	25 00	15 00	40 00
w half n half 9	50	H. Breen	25 00	15 00	40 00
e half n half 9	50	M. A. Cowan	25 00	15 00	40 00
w half s half 9	50	O. Pearsall	25 00	15 00	40 00
e half s half 9	50	W. Henry	25 00	15 00	40 00
n half 10	100	John Shanks	50 00	30 00	80 00
e half s half 10	50	R. W. Kennedy	25 00	15 00	40 00
w half n half 11	50	R. W. Kennedy	25 00	15 00	40 00
e half n half 11	50	Lunday Sova	25 00	15 00	40 00
w half s half 11	50	Alexander Sova	25 00	15 00	40 00
w half s half 11	50	George Walker	25 00	15 00	40 00
w half e half s half 11	25	W. G. Stephenson	12 50	7 50	20 00
e quarter s half 11	25	John Beacom	12 50	7 50	20 00
n three-quarters 12	150	W. A. Mellow	75 00	45 00	120 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	s quarter 12.....	50	D. Armstrong.....	.....	25 00	15 00	40 00
	lot 13.....	200	John Mellow.....	.....	100 00	60 00	160 00
	n hf 14.....	100	J. Storey .....	.....	50 00	30 00	80 00
	e hf s hf 14.....	50	J. Storey.....	.....	25 00	15 00	40 00
	w half s hf 14.....	50	M. Bould.....	.....	25 00	15 00	40 00
	w half s half 15.....	50	C. Pettit.....	.....	25 00	15 00	40 00
	e half s half 15.....	50	D. Strang.....	.....	25 00	15 00	40 00
	w half n hf 15.....	50	A. Pearson.....	.....	25 00	15 00	40 00
	e half n half 15.....	50	A. Trudell.....	.....	25 00	15 00	40 00
8	gore 4.....	20	R. Jackson.....	.....	10 00	6 00	16 00
	gore 5.....	70	R. Jackson.....	.....	35 00	21 00	56 00
	n part 6.....	73	E. Heiser.....	.....	36 50	21 90	58 40
	s part 6.....	49	M. Lambert.....	.....	24 50	14 70	39 20
	n part 7.....	77	Agnes Harkness.....	.....	38 50	23 10	61 60
	s half s h hf 7.....	50	R. McQueen.....	.....	25 00	15 00	40 00
	n half s half 7.....	50	Non resident.....	.....	25 00	15 00	40 00
	w half n hf 8.....	50	E. Hillman.....	.....	25 00	15 00	40 00
	e half n half 8.....	50	J. McFadden.....	.....	25 00	15 00	40 00
	w half s half 8.....	50	W. Lindsay.....	.....	25 00	15 00	40 00
	e half s half 8.....	50	J. Breen.....	.....	25 00	15 00	40 00
	lot 9.....	200	C. Frankfurth.....	.....	100 00	60 00	160 00
	n hf 10.....	100	C. Thornton.....	.....	50 00	30 00	80 00
	s half 10.....	100	John Ford.....	.....	50 00	30 00	80 00
	w hf n hf 11.....	50	Thomas Leavitt.....	.....	25 00	15 00	40 00
	e hf n hf 11.....	50	Ed. Mitchell.....	.....	25 00	15 00	40 00
	s hf 11.....	100	H. Pettit.....	.....	50 00	30 00	80 00
	lot 12.....	200	R. Keith.....	.....	100 00	60 00	160 00
	s hf 13.....	100	C. Marchand.....	.....	50 00	30 00	80 00

e hf n hf 13.....	50 S. Hillman.....	25 00	15 00	40 00
n hf w hf n hf 13.....	25 A. Kendrick.....	12 50	7 50	20 00
s hf w hf n hf 13.....	25 C. Thornton.....	12 50	7 50	20 00
w hf n hf 14.....	50 E. Pearson.....	25 00	15 00	40 00
centre pt n hf 14.....	25 E. Pearson.....	12 50	7 50	20 00
w qr s hf 14.....	25 S. Hillman.....	12 50	7 50	20 00
centre pt s hf 14.....	50 M. J. Hillman.....	25 00	15 00	40 00
e hf e hf 14.....	50 Jos. Thibert.....	25 00	15 00	40 00
n e cor w hf 15.....	49 S. Wymer.....	25 00	15 00	40 00
w pt n hf 15.....	49 A. Pearson.....	24 75	14 85	39 60
e hf n hf 15.....	50 Jas. Coulter.....	25 00	15 00	40 00
e hf s hf 15.....	50 H. Trudell.....	25 00	15 00	40 00
w qr s hf 15.....	25 Jos. Thibert.....	12 50	7 50	20 00
e hf w hf s hf 15.....	25 A. Pearson.....	12 50	7 50	20 00
gore 8.....	27 C. MacDermott.....	13 50	8 10	21 60
w hf gore 9.....	40 R. Jackson.....	20 00	12 00	32 00
e hf gore 9.....	40 S. Jackson.....	20 00	12 00	32 00
w three-grs s hf 10.....	75 Wm. Brown.....	37 50	22 50	60 00
e qr s hf 10.....	25 Non-resident.....	12 50	7 50	20 00
n pt 10.....	30 Jno. Cranston.....	15 00	9 00	24 00
s hf 11.....	100 Jas. Sellers.....	50 00	30 00	80 00
n hf 11.....	80 R. E. Dodson.....	40 00	24 00	64 00
w hf 12.....	100 R. Ford.....	50 00	30 00	80 00
e hf 12.....	100 A. Kendrick.....	50 00	30 00	80 00
n pt 13.....	90 J. McDowall.....	49 50	29 70	79 20
n hf s hf 13.....	50 S. McDowall.....	25 00	15 00	40 00
s hf s hf 13.....	50 Wm. McDowall.....	25 00	15 00	40 00
w hf n hf 14.....	50 Jno. McDowall.....	25 00	15 00	40 00
e hf n hf 14.....	50 S. Weymer.....	25 00	15 00	40 00
w hf s hf 14.....	50 A. Coulter.....	25 00	15 00	40 00
e hf s hf 14.....	50 R. J. Coulter.....	25 00	15 00	40 00
s hf 15.....	100 S. Palmer.....	50 00	30 00	80 00
w hf n hf 15.....	50 Geo. Wylie.....	25 00	15 00	40 00
e hf n hf 15.....	50 C. Wylie.....	25 00	15 00	40 00
w pt 5.....	110 George Buchanan.....	43 75	26 25	70 00
w pt e hf 5.....	85 Maggie Buchanan.....	42 50	25 50	68 00
w pt n hf 6.....	49 Geo. Frankfurth.....	24 50	14 70	39 20
n e cor w hf n hf 6.....	1 Ed. Whadley.....	50 00	30 00	80 00
w hf s hf 6.....	50 E. Heiser.....	25 00	15 00	40 00

M R S

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of im- provements.
	pt e hf 6.....	97	Cameron estate.....	.....	48 50	29 10	77 60
	v lcts 3, 4, 5, 6, 7, 8, 9, n hf 6..	1 1/4	Cameron estate.....	.....	62	38	1 00
	v lot 11 on n hf 6.....	1 1/4	H. Prov'd't & Loan Co.....	.....	25	15	40
	v lots 1 and 2 on n hf 6.....	1 1/4	Wm. Taylor.....	.....	25	40	15
	v lots 10, 11, 12 on n hf 6.....	1 1/4	Cameron Estate.....	.....	38	22	60
	s hf 7.....	100	D. McAllister.....	.....	50 00	30 00	80 00
	w pt n w qr 7.....	7	D. McAllister.....	.....	3 50	2 10	5 60
	e pt n hf 7.....	45	W. Burnard.....	.....	6 25	3 75	10 00
	e pt n w qr 7.....	34	W. Harman.....	.....	12 50	7 50	20 00
	v lots 7, 8, and 9 on 7.....	1 1/4	I. Ward.....	.....	25	15	40
	v lots 11 and 12 on 7.....	1-5	W. A. McIntosh.....	.....	10	06	16
	v lot 13 on 7.....	1-5	D. Enricken.....	.....	10	06	16
	v lot 14 on 7.....	1-5	Jas. Whales.....	.....	10	06	16
	v lots 15 and 16 on 7.....	2-5	C. P. Coulson.....	.....	20	12	32
	v lot 17 on 7.....	1-5	Mann Estate.....	.....	10	06	16
	v lot 21 on 7.....	1-6	I. Ward.....	.....	09	05	14
	v lot 23 on 7.....	1-6	J. Goatbe.....	.....	10	06	16
	v lot 25 on 7.....	1-5	Augusta Fenner.....	.....	10	06	16
	v lot 26 on 7.....	1 1/4	F. Shultz.....	.....	12	08	20
	v lot 27 on 7.....	1-5	D. Voakes.....	.....	10	06	16
	v lot 28 on 7.....	1-5	D. McAllister.....	.....	10	06	16
	34, 35, 36, 37, 38, 39 on 7.....	1 1/4	D. Voakes.....	.....	88	52	1 40
	v lot 29 on 7.....	1 1/4	John White.....	.....	25	15	40
	s hf lot 8.....	100	A. Halliday.....	.....	50 00	30 00	80 00
	e hf 9.....	100	W. Elliott.....	.....	12 50	7 50	20 00
	w hf 9.....	100	J. S. Ainslie.....	.....	12 50	7 50	20 00
	w half 10.....	100	B. Roadhouse.....	.....	12 50	7 50	20 00
	e half 10.....	100	W. Wallace.....	.....	12 50	7 50	20 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	v lot 26 on 6	1-5	M. J. Hillman	.....	10	06	16
	v lot 27 on 6	1-5	John Moody	.....	10	06	16
	v lot 28 on 6	1-5	P. McNaughton	.....	10	06	16
	v lot 29 on 6	1-5	A. McKenzie	.....	10	06	16
	v lot 30 on 6	1-5	W. Armitage	.....	10	06	16
	v lot 31 on 6	1-5	R. O. Y. Ainslie	.....	10	06	16
	v lot 32 on 6	1-5	T. Beattie	.....	10	06	16
	v lots 33 and 34 on 6	2-5	Geo. Ainslie	.....	20	12	32
	v lot 36 on 6	1-5	A. T. Allen	.....	10	06	16
	v lot 35 on 6	1-5	A. F. Allen	.....	10	06	16
	v lot 43 on 6	1-5	C. Blim	.....	10	06	16
	v lot 44 on 6	1-5	C. Douglas	.....	10	06	16
	v lot 47 on 6	1-5	Jas. Sellars	.....	10	06	16
	v lot 51, 52, 53 on 6	3-5	S. Whatley	.....	30	18	48
	v lot 54, 55, 56, 57 on 6	4-5	Jas. Kerr	.....	40	24	64
	v lot 58 on 6	1-8	W. Dalton	.....	06	04	10
	v lot 61 on 6	1-5	W. Taylor	.....	10	06	16
	v lot 62 on 6	1	Alice Allen	.....	50	30	80
	v lot 19 on 6	1-5	T. Beattie	.....	10	06	16
	park lots A & B on 6	1	F. F. Jones	.....	50	30	80
	park lot C on 6	1-2	H. Howe	.....	25	15	40
	park lots D & E on 6	1-2	Geo. Ainslie	.....	25	15	40
	se pt 6	22	W. Taylor	.....	11	00	17
	v lot 20 on n hf 6	1-5	Alex. Wands	.....	10	06	16
	v lots 2 and 3 on 7	1-2	Geo. Millar	.....	25	15	40
	v lots 4 and 5 on n hf 7	1-2	D. Dewhurst	.....	25	15	40
	v lot s pt 32 on n hf 7	1-8	H. Hallet	.....	06	04	10
	v lot n pt 32 on n hf 7	1-8	Thos. Beattie	.....	06	04	10

v lot n hf 33 on 7	1-2	W. Harmer	25	15	40
v lots 6, 7, 8 on 7	1	M. Creighton	50	30	80
v lot 26 on 7	3-4	C. Ford	38	22	60
v lot 27 on 7	1-2	Jno. H. Ainslie	25	15	40
v lot 28 on 7	2-5	Alex. Ainslie	20	12	32
v lot S.R.R. s pt 7	1-5	M. Laporte	10	06	16
v lot S.R.R. s pt 7	3½	Thos. Warren, sr	1	00	2
v lot S.R.R. 2 on s hf 7	1-5	C. Frankfurth	10	06	16
v lot S.R.R. 3 on s hf 7	1-5	C. Frankfurth	10	06	16
v lots 4 and 5 on 7	1-2	J. E. Hull	25	15	40
v lot 7 on 7	1-5	A. Buchanan	10	06	16
v lot 8 on 7	1-5	W. Elliott	10	06	16
v lot 9 on 7	1-5	Jno. McKeown	10	06	16
v lot 10 on 7	1-5	C. L. McDermott	10	06	16
v lot 11 on 7	1-5	J. Storey	10	06	16
v lot 12 on 7	1-5	C. N. Anderson	10	06	16
v lot 13 on 7	1-5	A. J. Brown	10	06	16
v lot 14 on 7	1-5	Jas. Lewis	10	06	16
v lots 15, 16 and 20 on 7	2-5	P. A. Flaherty	20	12	32
v lot 17 on 7	1-5	D. Shanks	10	06	16
v lot 18 on 7	1-5	S. Whatley	10	06	16
v lot 19 on 7	1-5	Jno. Elliott	10	06	16
v lot 22 on 7	1-8	Jno. Gee	06	04	10
v lot 23 on 7	1-8	W. Harmer	10	06	16
v lot 24 on 7	1-8	T. Anderson	06	04	10
v lot 21 on 7	1-8	Louis Robbins	06	04	10
v lot 42 on 7	1-5	John Elliott	10	06	16
v lot 43 on 7	1-5	N. Leclaire	10	06	16
v lots 45 and 46 on 7	2-5	M. A. and C. McDowall	20	12	32
v lots 74, n hf 73 on 7	3-10	W. Chaterton	15	09	24
v lots 72, s hf 73 on 7	3-10	A. Beauchene	15	09	24
v lots 61 and 62 on 7	2-5	W. Joynt	20	12	32
v lot 33 on 7	1-5	M. Coutier	10	06	16
v lot pt s hf 7	2½	J. W. Sifton	1	25	00
v lot s w corner 7	1-2	Jas. Logan	25	15	40
v lot 59 s hf 7	1-5	N. Selkirk	10	06	16
v lot 25 on 7	1-5	H. Wright	10	06	16
v lot 26 on 7	1-5	H. Thompson	10	06	16
v lots 27 and 28 on 7	2-5	E. Johnston	20	12	32

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of im- provement.
	v lot 29 on 7	1-5	J.D. and G. A. Ainslie .....	.....	10	06	16
	v lot 31 on 7	1-2	Jas. Sellars .....	.....	25	15	40
	s e pt 7	60	Robt. Jackson .....	.....	6 25	3 75	10 00
	s pt 13	96	R. E. Dodson .....	.....	48 00	28 80	75 80
	n pt 13	93	Mrs. E. Johnston .....	.....	46 50	27 90	74 40
	s hf 14	100	Wm. Holmes .....	.....	50 00	30 00	80 00
	w pt n hf 14	28	F. Thomas .....	.....	14 00	8 40	22 40
	e pt n hf 14	67	F. Shultz .....	.....	33 50	20 10	53 60
	w pt n hf 15	47	T. Jackson .....	.....	23 50	14 10	37 60
	e pt n hf 15	47	F. Morris .....	.....	23 50	14 10	37 60
	w hf s hf 15	50	M. Grimshaw .....	.....	25 00	15 00	40 00
	e hf s hf 15	50	P. Sartegny .....	.....	25 00	15 00	40 00
		14,892 $\frac{2}{3}$	Total assessment on lands .....	.....	7,195 72	4,316 98	11,512 70
			ASSESSMENT ON ROADS.				
	lots road in rear	10	Tilbury W. & N., $\frac{1}{2}$ each .....	.....	5 00	3 00	8 00
	Middle road	35	.....	.....	35 00	21 00	56 00
	lots road in rear	40	.....	.....	40 00	24 00	64 00
	road between	25	.....	.....	25 00	15 00	40 00
	road between	35	7 and 8 concessions .....	.....	35 00	21 00	56 00
	road between	50	8 and 9 concessions .....	.....	50 00	30 00	80 00
	road between	50	9 and 10 concessions .....	.....	50 00	30 00	80 00
	Townline between Mersa	50	10 and 11 concessions .....	.....	25 00	15 00	40 00
		20	& Tilbury W., $\frac{1}{2}$ each .....	.....	20 00	12 00	32 00
		30	Comber streets .....	.....	30 00	18 00	48 00
		45	6 and 7 side road .....	.....	45 00	27 00	72 00
			12 and 13 side road .....	.....		
M R S							

Townline between Tilbury	15 15 1E 30	18 and 19 side road West & Romney $\frac{1}{2}$ each M. C. R. R. L. and St. C. R. R. ....	..... ..... ..... .....	15 00 7 50 7 50 15 00	9 00 4 50 4 50 9 00	24 00 12 00 12 00 24 00
Total acreage	15,357 $\frac{2}{3}$	Total assessment on roads .....	.....	405 00	243 00	648 00
		Total ass't, lands br'gt dwn .....	.....	.....	.....	11,512 70
		Total ass't, lands and roads .....	.....	.....	.....	12,160 70
		Total for outlet	7,600 72	.....	.....	.....
		Total for injuring	4,559 98	.....	.....	.....
		Bridges	12,160 70 1,100 00	.....	.....	.....
		Total assessment	13,260 70	.....	.....	.....

WM. NEWMAN, C.E.

Windsor, Feb. 15th, 1897.

SPECIFICATIONS.

Specifications for repairing, improving and extending Big creek drain and its branches and the several works connected therewith, in the Townships of Tilbury West and Tilbury North.

CLEARING OF GROUNDS.

All along both Trembly creek and Big creek where there is dredging to be done the contractor for the dredging shall clear the site of the channels, dykes, banks, etc., of all trees, logs, brushwood, rubbish, etc., before the excavated earth is thrown out, all such rubbish, brushwood, etc., to be piled up and burned in a thorough and workmanlike manner, and to the full satisfaction of the engineer.

DREDGING.

The dredge cuts shall be made of at least the size, depth, etc., as shown on the respective profiles, and shall when completed present a uniform and even bottom, and in no place shall the bottom project above the grade lines as shown on profiles, and as will be staked out on grounds by the Engineer.

The excavated earth shall be placed to either or both sides of the cut, as shown on plan or as may be directed from time to time by the engineer, and in no case shall the inside edge of the dyke or bank be within five (5) feet of the outside of the cut or channel.

DYKES.

From the Grand Trunk Railway bridge to the junction of Big creek with Baptiste or Champlain creek, there shall be only one dyke and it shall be on the westerly side of Big creek.

From the junction of Baptiste creek with Big creek to the highway bridge over Baptiste creek, and on the Tecumseh road, there shall be only one dyke, and it shall be on the southerly side of Baptiste creek.

From the junction of Baptiste creek with Big creek to the junction of Big creek with Trembly creek there shall be two dykes, one on each side of Big creek.

From the junction of Trembly creek with Big creek, southward along Trembly creek to the Canadian Pacific Railway Company's lands, there shall be two dykes, one on each side of Trembly creek.

All of the aforesaid dykes shall have a perpendicular height of at least five (5) feet above the average surface of the marsh through which they pass, a bottom width of at least twenty-five (25) feet, and a top width of at least six (6) feet.

From the junction of Trembly creek with Big creek, along Big creek to the 3rd Concession Road, there shall be two dykes, one on each side of Big Creek. These dykes are to have a perpendicular height of at least six (6) feet above the general surface of the ground through which they pass, a bottom width of at least thirty (30) feet, and a top width of at least six (6) feet.

From the 3rd Concession Road along Big creek to the 5th Concession Road there shall be a channel cut of the size, depth etc., as shown on the profile. The excavated earth shall be thrown evenly on both sides of the drain, and formed into a regular bank or dyke.

The top of all dykes shall be perfectly uniform, and shall conform to the lines shown on profiles and cross sections of the work.

The dyking along Big Creek the dredge cut shall be made such a distance from the main channel of the creek as the Engineer may direct.

CROSSING COULEES, CHANNELS, ETC.

If in the performance of any of the above dredging and dyking any old channels, bogs, coulees, etc., should be encountered which are not solid enough to hold up the weight of the dyke, the contractor shall make such piling, sheet piling, or other works as the nature of the work may require, so as to have a permanent dyke or bank of the size and height as shown on profiles and above specified.

Materials used in such piling, sheet piling, tierods, etc., and also the labor of placing the same in position, shall be furnished by the dredging contractor at his own expense, and he shall in no case be entitled to any extras

extras on his contract price, for the performance of such work or the furnishing of such materials.

DRAIN OUTLETS.

The dredging contractor shall furnish and place in position all such materials as shown on detail plans for the construction of automatic outlets under the dykes at such points as may be directed by the Engineer. Such outlets to be composed of ten (10) feet of cast iron pipe, with an iron flap valve on one end, and at least twenty (20) feet of the best quality of sewer pipe of size shown on detail plans.

All outlets to be laid to the grade, depth, etc., as shown on plans or as may be directed by the engineer.

The valve on the inner end of the cast iron pipe to be made in such a way as to work perfectly automatically.

PASSING BRIDGES.

When any highway or railway bridges are encountered by the dredge in the constructing of the dykes or channels, the dredging contractor shall open up and pass through all such bridges at his own expense, and shall replace such bridges in a first-class manner unless it should be at such points where new Highway bridges are to be built, and in case a new bridge is to be built the dredging contractor shall build and maintain a temporary bridge over the creek or channel until the new bridge is built. The dredging contractor shall be responsible for all damages, caused by the tearing up of any of the bridges, and shall erect and maintain such barriers, lights, watchmen, etc., as the engineer may direct.

In the case of railway bridges the contractor shall obtain from the different railway companies, their consent to pass through or under the different bridges. Should any of the railway companies refuse to allow the dredge to pass through or under their bridges, the dredging contractor shall build a new hull or move his machinery to the other side of the railway bridge in any way he may choose.

But it is distinctly understood that the contractor shall not be entitled to any extras on his contract price owing to, or arising out of any delay, expense or trouble there may be caused by any of the different railway companies refusing to allow the dredge to pass through or under their bridges.

CROSSING RAILWAY LANDS.

Should any of the railway companies through or across whose lands the channels are to be cut or the dykes are to be made, refuse to allow the dredge on their lands the contractor shall by hand labor or any other means make such channels and dykes across the lands of the railway company or companies so refusing.

For such hand work as he may have to perform the contractor shall not be entitled to any extras on his contract price.

TEAM AND SCRAPER WORK.

From the head of the dredging contract to the townline between the Township of Mersea and Tilbury West, also on the east branch from its junction with the main creek on lot 15, in the 7th concession, to the Romney and Tilbury North townline, the drain shall be improved so as to conform to the size, depth, etc., as shown on the profiles, all short crooks or bends shall be cut across, and all projecting points shall be cut off where ordered by the engineer, all trees, stumps, etc., that project over the edge of the drain shall be taken out by the contractor.

CLEARING OF BRUSHWOOD.

The contractor shall, before he commences excavating, clear a strip on both sides of the drain, at least forty (40) feet wide, of old logs, brush and rubbish, and shall pile up and burn the same in a workmanlike manner and to the full satisfaction of the engineer.

GRADING OF EARTH.

The excavated earth may be cast to either or both sides of the drain, and kept at least five (5) feet clear of the edge of the drain, and shall be well and evenly spread over a space of at least forty (40) feet in width.

DAMAGE

DAMAGE TO PROPERTY.

In constructing the drain above the head of the dredge work, the contractor shall exercise great care, and do no unnecessary damage to any of the farms through which the drain passes. Should the contractor do any damage to any of the property which could have been avoided, he shall be held responsible for the same.

The engineer shall be the sole judge of whether or not the damage, if any has been done, was avoidable or not, and if, in the opinion of the engineer, the damage could have been avoided the contractor shall pay to the owner so damaged such sum the engineer may think right and just in the matter, and from his decision there can be no appeal.

NEW HIGHWAY BRIDGES.

New bridges are to be built at the following places : Over Trembly creek on Tecumseh road, over Big creek on the 4th and 5th concession roads, over east branch of Big creek on 8th and 9th concession roads and 18 and 19 sideroads, over west branch of Big creek on 12 and 13 sideroad, and 9th and 10th concession road, all the other points where the drain is crossed by a bridge the bridge shall be given such repairs as the engineer may deem necessary in order to put them into first-class condition.

STONEWORK.

The masonry of all the bridges shall be composed of first-class rubble masonry, no stone to be less than seven (7) inches in thickness, and to be well bedded in rough courses, no spawls or chips, are to be used in the levelling up of any stonework, all joints are to be well filled and flushed with Portland cement mortar in a first-class and workmanlike manner and to the full satisfaction of the Engineer.

MORTAR.

All mortar used on bridges to be composed of three parts by volume of good sharp clean sand and one part by volume of good live Portland cement of some brand to be approved of by the engineer, no mortar shall be used in the work which has been mixed more than 30 minutes before the time of using.

POINTING.

The outer face of all abutments to be well and properly flush pointed with the best quality of Portland cement mortar, said mortar to be composed of two parts by volume of good, sharp, clean sand, and one part by volume of good, live Portland cement of some brand to be approved of by the engineer.

WOOD WORK.

All wood work to be composed of good sound white oak or pine free from knots, sapwood and all other defects, to be well and carefully put together as shown on the plan, all joints, etc., to be made in a workmanlike manner, and to the full satisfaction of the engineer.

IRON WORK.

All iron rods, bolts, washers, etc., to be put in as shown on the plan and detail drawings, or as may be directed from time to time by the engineer, the iron used in all bolts, washers, rods, etc., shall be of the very best material of their respective classes, and to be made in a neat and workmanlike manner, and to the full satisfaction of the engineer.

EXCAVATING FOUNDATIONS.

All the necessary excavating for foundations of abutments, etc., for bridge shall be done by the bridge contractor and at his own expense.

REPAIRING BRIDGES.

The Bridges over Big creek and on the 2nd and 3rd concession roads. Middle road, and 7th concession road, and 11th concession road over west branch of Big creek, shall receive such repairs as the engineer may deem necessary after the proper excavations have been made so that the exact condition of the foundation of the different bridges may be seen.

All masonry, timber and iron work used in repairing bridges shall conform to the above specifications for such material to be used in the construction of new bridges.

OLD BRIDGES.

The contractor for the new bridges may use any of the timbers, planks, stone or iron work that may be found in the old bridges at the same point where bridges are proposed to be built, provided that such timber, planks, etc., conform to the foregoing specifications for new bridges. But before any of the materials taken out of the old bridges can be used in the new bridges they must be approved of by the engineer.

GENERAL CONDITIONS.

1. The contract is to comprise the formation and completion of the several branches of work completed in the foregoing specification, and in strict accordance with said specifications, plans and drawings.

2. Contractors must satisfy themselves of the nature and the location of the work they bid for, of the general form and surface of the ground, of the quantity and quality of the materials to be furnished or removed or other work to be done, and all other matters and things which can in any way influence their contract, and no information upon such matters derived from maps, plans, profiles, drawings or specifications, or from the engineer, will relieve the contractor from any risk he may run as to the nature of the soil, etc., or from fulfilling the terms of his contract.

3. The whole of the work will be executed under the direction and supervision of the engineer, and no change in the contract or extra on the contract price will be allowed unless the contractor can produce a written order from the engineer ordering such change or extra.

4. Monthly estimates will be given by the engineer which estimate shall not be more than 80 per cent. on the price of the work actually performed, but the paying of the full 80 per cent. of the work done does not imply that any portion of the work has been accepted.

5. The engineer shall have full power to reject any or all work or materials which in his opinion does not conform to the spirit of the foregoing specifications and shall have power to direct the application of forces to any part of the work which in his judgment requires it most, also to order an increase or decrease of the forces at any point he may direct, and shall decide all questions that may arise between parties relative to the execution of the work, and his decision shall be final and binding on all parties concerned.

6. The contractor shall remove at his own expense any work or materials condemned by the engineer and must re-execute any work so condemned without extra charge and in default of the contractor in re-executing such work when ordered to do so by the engineer the same will be done by the Council and the cost of the same will be deducted from moneys due or coming due to the contractor.

7. Should the contractor at any time fail to conform to the foregoing specifications, general conditions, etc., the Council may take the work out of his hands and re-let or complete the same in any way, and the contractor shall forfeit any money due or falling due on his contract, should the monies due or falling due the contractor be insufficient to complete the work the sureties are to pay the balance, but before the Council can take the work out of the contractor's hands they must give him written notice to that effect at least five (5) clear days before taking over the work.

8. Disorderly, quarrelsome, incompetent or unskilled employees of the contractor must be discharged at once on the demand of the engineer and must not be employed again on the work without the permission of the engineer in writing.

9. In the absence of the contractor from the works the foreman or other person in charge of the work shall be taken to represent the contractor, and any orders given such foreman or other person in charge of the work shall be as binding on the contractor as though given to him in person.

10. The contractor whose tender is accepted shall forthwith enter into a further agreement and bond with the Township of Tilbury West giving satisfactory sureties for the faithful carrying out of the above specification and the completion of the work undertaken by him.

WM. NEWMAN,

Windsor, February 15th, 1897.

Engineer of Tilbury West.

SCHEDULE

SCHEDULE of lands and roads in the Township of Romney, assessed for the repairing, improving and enlarging of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay toward said improvement.

Con. or plan No.	Lot or part of lot.	Area acres.	Owner's name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of im- provement.
3	lot 30	200	George Church .....	.....	100 00	60 00	160 00
	e hf 29	100	George E. Pinfold .....	.....	50 00	30 00	80 00
	w hf 29	98	Wm. Pinfold .....	.....	49 00	29 40	78 40
	s e qr 28	50	Herbert Freeland .....	.....	25 00	15 00	40 00
	n hf and s w qr 28	150	Non resident .....	.....	75 00	45 00	120 00
	lot 27	197	Moffatt & McGregor .....	.....	98 50	59 10	157 60
	lot 26	197	Moffatt & McGregor .....	.....	98 50	59 10	157 60
	s hf n hf 25	50	John C. Dawson .....	.....	25 00	15 00	40 00
	n hf n hf 25	50	Jeremiah Vipond .....	.....	25 00	15 00	40 00
	s hf s e qr 24	25	Wellington Franklin .....	.....	12 50	7 50	20 00
	n hf e pt n w qr 24	25	Henry Brando .....	.....	12 50	7 50	20 00
	n hf e qr 24	25	John Franklin .....	.....	12 50	7 50	20 00
	n hf e hf 24	50	James Franklin .....	.....	25 00	15 00	40 00
	e pt n w hf 24	25	Bert Franklin .....	.....	12 50	7 50	20 00
	n qr 24	50	Morris Edmunds .....	.....	25 00	15 00	40 00
	s e qr 23	50	W. I. Williams .....	.....	25 00	15 00	40 00
	n e qr and w hf 23	150	Sutherland, Innes & Co .....	.....	75 00	45 00	120 00
	s hf 22	100	W. F. Armstrong .....	.....	50 00	30 00	80 00
	n hf 22	100	Sutherland, Innes & Co .....	.....	50 00	30 00	80 00
	s e qr 21	50	W. F. Armstrong .....	.....	25 00	15 00	40 00
	n qr and s w hf 21	150	W. E. Ridges .....	.....	75 00	45 00	120 00
	s hf 20	100	Sutherland, Innes & Co .....	.....	50 00	30 00	80 00
	n hf 20	100	Hial Wilcox .....	.....	50 00	30 00	80 00
	s e pt 19	25	W. Goodison .....	.....	12 50	7 50	20 00
	c hf s hf 19	50	Robert Warnick .....	.....	25 00	15 00	40 00
	s qr n hf 19	25	Alonzo Collison .....	.....	12 50	7 50	20 00
	n qr s hf 19	25	Robert Warnick .....	.....	12 50	7 50	20 00

c hf n hf 19	50	I. H. Wright	25 00	15 00	40 00
n qr n hf 19	25	Thomas Higgins	12 50	7 50	20 00
s hf 18	100	Wm. Heatherington	50 00	30 00	80 00
s hf n hf 18	50	Augustus Foster	25 00	15 00	40 00
n hf n hf 18	50	Philip Malott	25 00	15 00	40 00
e qr 17	50	Thomas Carrick	25 00	15 00	40 00
s qr 17	50	Joseph Liddle	25 00	15 00	40 00
s hf n hf 17	50	Augustus Foster	25 00	15 00	40 00
n hf n hf 17	50	George Goodison	25 00	15 00	40 00
n e qr 16	50	.....	25 00	15 00	40 00
e hf 30	48	Josiah Coatsworth	24 00	14 40	38 40
w hf 30	58	John Adair	29 00	17 40	46 40
lot 29	165	Non resident	82 50	49 50	132 00
s hf 28	100	Ed. Smith	50 00	30 00	80 00
n pt 28	90	Non resident	45 00	27 00	72 00
lot 27	200	W. N. Hastings	100 00	60 00	160 00
lot 26	200	Sutherland, Innes & Co	100 00	60 00	160 00
s hf 25	100	Thomas Levy	50 00	30 00	80 00
s hf n hf 25	50	James Foster	25 00	15 00	40 00
n hf n hf 25	50	John Foster	25 00	15 00	40 00
s e 24	150	Hiram Pettit	75 00	45 00	120 00
n w qr 24	50	Henry Clarkson	25 00	15 00	40 00
lot 23	200	Sutherland, Innes & Co	100 00	60 00	160 00
lot 22	200	Sutherland, Innes & Co	100 00	60 00	160 00
s hf 21	100	Sutherland, Innes & Co	50 00	30 00	80 00
n e qr 21	50	H. J. Mills	25 00	15 00	40 00
n w qr 21	50	Wm. Pully	25 00	15 00	40 00
lot 20	200	McMackon Bros	100 00	60 00	160 00
s hf s hf 19	50	W. H. Tully	25 00	15 00	40 00
n hf s hf 19	50	Peter Featherston	25 00	15 00	40 00
s hf n hf 19	50	Henry Whital	25 00	15 00	40 00
n qr 19	50	Thomas Hustler	25 00	15 00	40 00
s e pt s hf 18	25	Mrs. Jane Getty	12 50	7 50	20 00
centre part s hf 18	45	Wm. Baker	22 50	13 50	36 00
n pt s hf 18	30	Alf. Baker	15 00	9 00	24 00
s hf n hf 18	50	Joseph C. Hyatt	25 00	15 00	40 00
n h n hf 18	50	Henry Getty	25 00	15 00	40 00
e qr 17	50	Harry Goodison	25 00	15 00	40 00
s w hf 17	100	McMackon Bros	50 00	30 00	80 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
5	n qr 17	50	Nelson Getty .....	.....	25 00	15 00	40 00
	s e hf 16	100	John Holland .....	.....	50 00	30 00	80 00
	w qr 16	50	F. Overholt .....	.....	25 00	15 00	40 00
	n qr 16	50	Thomas Markle .....	.....	25 00	15 00	40 00
	lot 28	5	Non resident .....	.....	2 50	1 50	4 00
	lot 27	30	Ed. Smith .....	.....	15 00	9 00	24 00
	lot 26	70	Ed. Smith .....	.....	35 00	21 00	56 00
	lot 25	112	Joseph Hopkins .....	.....	56 00	33 60	89 60
	lot 24	57	Levi Coatsworth .....	.....	28 50	17 10	45 60
	lot 23	125	Sutherland, Innes & Co. ....	.....	62 50	37 50	100 00
	lot 22	185	Sutherland, Innes & Co. ....	.....	92 50	55 50	148 00
	lot 21	200	Sutherland, Innes & Co. ....	.....	100 00	60 00	160 00
	s hf 20	100	Non resident .....	.....	50 00	30 00	80 00
	n hf 20	100	Harry Dawson .....	.....	50 00	30 00	80 00
	s pt 19	3	McMackon Bros. ....	.....	1 50	90	2 40
	s qr 19	47	Ambrose Foster .....	.....	23 50	14 10	37 60
	n hf s hf 19	50	Thomas Jones .....	.....	25 00	15 00	40 00
	n hf 19	100	Matthew Minehard .....	.....	50 00	30 00	80 00
	e qr 18	50	J. C. Kennedy .....	.....	25 00	15 00	40 00
	s qr 18	50	C. Dawson .....	.....	25 00	15 00	40 00
	s hf n hf 18	50	McMackon Bros. ....	.....	25 00	15 00	40 00
	n hf n hf 18	50	Mathias Foley .....	.....	25 00	15 00	40 00
	e hf e qr 17	25	Willard Getty .....	.....	12 50	7 50	20 00
	w hf e qr 17	25	Alexander Marvin .....	.....	12 50	7 50	20 00
	s qr 17	50	Oliver Hyatt .....	.....	25 00	15 00	40 00
	n qr 17	50	Wm. Cottingham, Sr. ....	.....	25 00	15 00	40 00
	w qr 17	50	Gaines Graham .....	.....	25 00	15 00	40 00
	s hf 16	100	J. W. Hodgeson .....	.....	50 00	30 00	80 00

n qr 16	50	Wm. Graham	25 00	15 00	40 00
w qr 16	50	Morris Edwards	25 00	15 00	40 00
lot 22	40	Moses Laborte	20 00	12 00	32 00
e pt n w pt 21	37½	Joseph St. Denis	18 75	11 25	30 00
e pt 21	37½	Frank Labonte	18 75	11 25	30 00
n w pt 21	37½	Levi St. Denis	18 75	11 25	30 00
lot 20	185	Non resident	92 50	55 50	148 00
s qr 19	50	John Featherston	25 00	15 00	40 00
n hf s hf 19	50	Henry Cottingham	25 00	15 00	40 00
s hf n hf 19	50	Robert Goodison	25 00	15 00	40 00
n hf n hf 19	50	Richard Blair	25 00	15 00	40 00
s e pt 18	25	John Featherston	12 50	7 50	20 00
centre pt 18	125	Thos. Cottingham	62 50	37 50	100 00
n qr 18	50	Wm. Cottingham, Jr.	25 00	15 00	40 00
e qr 17	50	Joseph Shafer	25 00	15 00	40 00
n qr 17	50	Harry Green	25 00	15 00	40 00
s qr 17	50	Wm. Couture	25 00	15 00	40 00
w qr 17	50	Frederick Richase	25 00	15 00	40 00
e qr 16	50	Moffatt & McGregor	25 00	15 00	40 00
e hf s qr 16	25	James Hodgson	12 50	7 50	20 00
w hf s qr 16	25	John Hyatt	12 50	7 50	20 00
n qr 16	50	Wm. Dancey	25 00	15 00	40 00
w qr 16	50	Samuel Graham	25 00	15 00	40 00
e pt 15	35	John Hyatt	17 50	10 50	28 00
s pt 15	35	James Hodgson	17 50	10 50	28 00
n hf 15	85	Samuel Graham	42 50	25 50	68 00
lot 20	15	Noe Phaneuf	7 50	4 50	12 00
lot 19	102	Non resident	51 00	30 60	81 60
e qr 18	50	George Glazier	25 00	15 00	40 00
n qr 18	50	John Imeson	25 00	15 00	40 00
s w pt 18	85	Charles Quinn	42 50	25 50	68 00
s pt 17	50	Albert Regnier	25 00	15 00	40 00
n e pt 17	50	Simie Regnier	25 00	15 00	40 00
n w pt 17	50	Ozias Regnier	25 00	15 00	40 00
lot 16	60	Wm. Dancey	30 00	18 00	48 00
Total assessment on lands			4,595 75	2,757 45	7,353 20

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of im- provement.
			L. E. & D. R. R . . . . .	.....	9 37	5 63	15 00
	Road between	18	2nd, 3rd concessions . . . . .	.....	40 00	24 00	64 00
	Road between	40	3rd, 4th concessions . . . . .	.....	40 00	24 00	64 00
	Road between	40	4th, 5th concessions . . . . .	.....	40 00	24 00	64 00
	Road between	20	5th, 6th concessions . . . . .	.....	20 00	12 00	32 00
	Road between	15	6th, 7th concessions . . . . .	.....	15 00	9 00	24 00
		15	24 and 25 side road . . . . .	.....	15 00	9 00	24 00
		30	18 and 19 side road . . . . .	.....	30 00	18 00	48 00
	Town line between Romney . .	50	& Tilbury E. pay $\frac{1}{2}$ each . . . . .	.....	25 00	15 00	48 00
	Town line between Romney . .	15	& Tilbury W. pay $\frac{1}{2}$ each . . . . .	.....	7 50	4 50	12 00
	Town line between Romney . .	10	& Tilbury N. pay $\frac{1}{2}$ each . . . . .	.....	5 00	3 00	8 00
	Total acreage	9,484 $\frac{1}{2}$	Total assessment on roads . . . . .	.....	246 87	148 13	395 00
			Total assess't lands br'g't down . . . . .	.....	.....	.....	7,353 20
			Total ass't lands and roads . . . . .	.....	.....	.....	7,748 20
			Total for outlet	4,842 62	.....	.....	.....
			Total for injuring	2,905 58	.....	.....	.....
				7,748 20	.....	.....	.....

SCHEDULE of lands and roads in the Township of Tilbury East assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

6	Lot 20	105	Samuel Warnock . . . . .	.....	26 25	15 75	42 00
6	Lot 21	130	Henry Wilson . . . . .	.....	32 50	19 50	52 00
6	pt 22	33	Henry Wilson . . . . .	.....	8 25	4 95	13 20
6	n w pt 22	37	Mrs. C. Dupuis . . . . .	.....	9 25	5 55	14 80
6	w pt 22	37	Joseph St. Denis . . . . .	.....	9 25	5 55	14 80
6	Lot 23	30	Joseph St. Denis . . . . .	.....	7 50	4 50	12 00

7	n half 20.	100	John and Albert Hodgkins.	25 00	15 00	40 00
7	s e quarter 20.	50	Richard Patrick.	12 50	7 50	20 00
7	s w quarter 20.	50	Wm. Ingram.	12 50	7 50	20 00
7	s e quarter 21.	50	Alex. Hornick.	12 50	7 50	20 00
7	s w quarter 21.	50	Harwood White.	12 50	7 50	20 00
7	n half 21.	98	Mrs. Beno.	24 50	14 70	39 20
7	s e eighth 22.	23	Edmund Beno.	5 75	3 45	9 20
7	w half s e quarter 22.	25	Mrs. St. Denis.	6 25	3 75	10 00
7	n e quarter 22.	50	Maxime Dupuis.	12 50	7 50	20 00
7	n w quarter 22.	50	S. Burgoyne.	12 50	7 50	20 00
7	s w quarter 22.	50	Herbert Hornick.	12 50	7 50	20 00
7	s w quarter 23.	50	Levi Thibet.	12 50	7 50	20 00
7	s e quarter 23.	50	Wm. Walker.	12 50	7 50	20 00
7	n half 23.	96	Frank Marchand.	24 00	14 40	38 40
7	n part 24.	45	Mrs. J. B. Marchand.	11 25	6 75	18 00
7	s half 24.	100	John A. McGregor.	25 00	15 00	40 00
7	lot 25.	49	Alfred Blair.	12 25	7 35	19 60
8	s e quarter 20.	50	Wm. N. Brint.	12 50	7 50	20 00
8	s w quarter 20.	50	J. and W. Putt.	12 50	7 50	20 00
8	n e quarter 20.	50	Wm. Patrick.	12 50	7 50	20 00
8	n w quarter 20.	50	John Burgess.	12 50	7 50	20 00
8	n half 21.	100	Gideon Smith.	25 00	15 00	40 00
8	e half s half s half 21.	25	A. Hornick.	6 25	3 75	10 00
8	e half n half s half 21.	25	H. White.	6 25	3 75	10 00
8	s w quarter 21.	48	Joseph Beno.	12 00	7 20	19 20
8	n w quarter 22.	50	James Burgess.	12 50	7 50	20 00
8	e half 22.	96	Henry Burgess.	24 00	14 40	38 40
8	s w quarter 22.	50	John Burgess.	12 50	7 50	20 00
8	part n e quarter 23.	36	Wm. Walker.	9 00	5 40	14 40
8	s part n e quarter 23.	14	Geo. Walker.	3 50	2 10	5 60
8	s e quarter 23.	50	Geo. Walker.	12 50	7 50	20 00
8	w half 23.	100	C. Walker and S. Robertson.	25 00	15 00	40 00
8	e half 24.	100	Richard and Geo. Carless.	25 00	15 00	40 00
8	w half 24.	100	Richard Carless, Jr.	25 00	15 00	40 00
8	s w quarter 25.	50	Geo. Walker.	12 50	7 50	20 00
8	s e quarter 25.	50	Chas. Hartley.	12 50	7 50	20 00
8	n w eighth 25.	25	Robert Davidson.	6 25	3 75	10 00
8	e half n w quarter 25.	25	Robert Davidson.	6 25	3 75	10 00
8	n e quarter 25.	50	Jacob Dalton.	12 50	7 50	20 00

SCHEDULE of lands and roads in the Township of Tilbury East assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

Con. or Plan No.	Lot or Part of Lot.	Area of Acres.	Owners' Names.	Value of benefit	Value of out- let liability.	Value of in- juring liability	Total value of improve- ment.
8	s part n part 26.....	57	Wm. Blair.....	.....	14 25	8 55	22 80
8	n part 26.....	19	Robert Davidson.....	.....	4 75	2 85	7 60
8	n part s part 26.....	25	Bernard Thibert.....	.....	6 25	3 75	10 00
8	s part 26.....	50	Napoleon Donais.....	.....	12 50	7 50	20 00
8	s e part 26.....	19	Robert Hartly.....	.....	4 75	2 85	7 60
9	n half 20.....	100	Bristol Smith.....	.....	25 00	15 00	40 00
9	s half 20.....	100	Non. Resident.....	.....	25 00	15 00	40 00
9	n e quarter 21.....	50	Joseph Atkinson.....	.....	12 50	7 50	20 00
9	n w quarter 21.....	50	Amos Kelly.....	.....	12 50	7 50	20 00
9	s e quarter 21.....	50	Bernard Kelly.....	.....	12 50	7 50	20 00
9	s w quarter 21.....	50	Martin McMahon.....	.....	12 50	7 50	20 00
9	lot 22.....	200	Cyrus F. Smith.....	.....	50 00	30 00	80 00
9	s w quarter 23.....	50	John Kelly "et al".....	.....	12 50	7 50	20 00
9	w half s e quarter 23.....	25	Wm. Courier.....	.....	6 25	3 75	10 00
9	w $\frac{3}{4}$ n half 23.....	75	Edward Hornick.....	.....	18 75	11 25	30 00
9	n e eighth 23.....	25	George Walker.....	.....	6 25	3 75	10 00
9	e half s e quarter 23.....	25	George Kerr.....	.....	6 25	3 75	10 00
9	s part 24.....	100	Edward Seguin.....	.....	25 00	15 00	40 00
9	n part 24.....	63	John Atkinson.....	.....	15 75	9 45	25 20
9	lots 25 and 26.....	72	Thos. McMahon.....	.....	18 00	10 80	28 80
10	s w quarter 20.....	50	Dexter Dandy.....	.....	12 50	7 50	20 00
10	s e quarter 20.....	50	Henry Burke.....	.....	12 50	7 50	20 00
10	n half 20.....	100	Wm. R. Davidson.....	.....	25 00	15 00	40 00
10	n e quarter 21.....	50	Robert Challis.....	.....	12 50	7 50	20 00
10	s half 21.....	100	Non. Resident.....	.....	25 00	15 00	40 00
10	n w quarter 21.....	50	Herbert Hornick.....	.....	12 50	7 50	20 00
10	lot 22.....	145	Non. Resident.....	.....	35 25	22 75	58 00
10	lots 23 and 24.....	50	John Cartwright.....	.....	12 50	7 50	20 00

11	s w 44 acres 20	44	Hiram Pettit	11 00	6 60	17 60
11	n e part 20	63	Sydney Malott	15 75	9 45	25 20
11	lot 21	38	Hiram Pettit	9 50	5 70	15 20
		4,397	Total assessment on lands	\$1,123 25	\$675 55	\$1,798 80
	Road in rear of	7	Middle road lots	3 50	2 10	5 60
	" between	12	6th and 7th concessions	6 00	3 60	9 60
	" "	19	7th and 8th	9 50	5 70	15 20
	" "	20	8th and 9th	10 00	6 00	16 00
	" "	12	9th and 10th	6 00	3 60	9 60
	" "	6	10th and 11th	3 00	1 80	4 80
	Townline, Tilbury North	40	& Tilbury East (pays $\frac{1}{4}$)	7 50	4 50	12 00
	Townline between Romney	50	(Tilbury North pays $\frac{3}{4}$ —\$36) and Tilbury East each pays $\frac{1}{2}$	25 00	15 00	40 00
	Total acreage	4,563	Total assess't on lands & roads	\$1,193 75	\$717 85	\$1,911 60
			Total for outlet	1,193 75		
			" injuring	717 85		
				\$1,911 60		

SCHEDULE of lands and roads in the Township of Mersea assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay towards said improvement.

8	w quarter 7	50	John Thompson	25 00	15 00	40 00
	s e corner w half 7	2/5	George Beacom	20	12	32
	e three-quarters 7	149 3/5	Phillip Stotts	74 80	44 88	119 68
	w quarter 8	50	Robert Beacom	25 00	15 00	40 00
	e half w half 8	50	Albert T. Beacom	25 00	15 00	40 00
	w half e half 8	50	Wesley Reid	25 00	15 00	40 00
	e quarter 8	50	Thomas H. Armstrong	25 00	15 00	40 00
	west half 9	100	John Bryden	50 00	30 00	80 00
	w half e half 9	50	William D. McMullen	25 00	15 00	40 00
	e quarter 9	50	E. A. Reid	25 00	15 00	40 00
	w half 10	100	John McMullen	50 00	30 00	80 00
	e half 10	100	W. R. Reid	50 00	30 00	80 00
	w half 11	100	Thomas Armstrong	50 00	30 00	80 00
	e half 11	100	Benson H. Reid	50 00	30 00	80 00
	w quarter 12	50	Leslie McMullen	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or Part of Lot.	Area acres.	Owners' Names.	Value of benefit.	Value of out- let liability.	Value of in- juring liability.	Total value of improvement
9	e half w half 12.....	50	Robert H. Reid.....	.....	25 00	15 00	40 00
	e half 12.....	100	W. S. Robinson.....	.....	50 00	30 00	80 00
	n w quarter 13.....	50	John Ogle.....	.....	25 00	15 00	40 00
	n e quarter 13.....	50	William Armstrong.....	.....	25 00	15 00	40 00
	n half w part 14.....	25	Christopher Ogle.....	.....	12 50	7 50	20 00
	n half center part 14.....	37½	Christopher Ogle.....	.....	18 75	11 25	30 00
	n half e part 14.....	37½	James Reid, Jr.....	.....	18 75	11 25	30 00
	n w quarter 15.....	50	David Reid, Jr.....	.....	25 00	15 00	40 00
	n half w half e half 15.....	25	John Hooker.....	.....	12 50	7 50	20 00
	n half e quarter 15.....	25	William J. Ogle.....	.....	12 50	7 50	20 00
	n w quarter 16.....	50	Francis Hooker.....	.....	25 00	15 00	40 00
	n half w half e half 16.....	25	James Coulter, Sr.....	.....	12 50	7 50	20 00
	n half e quarter 16.....	25	John Coulter.....	.....	12 50	7 50	20 00
	n half w quarter 17.....	25	William Robinson.....	.....	12 50	7 50	20 00
	n half e half w half 17.....	25	Charles Coulter.....	.....	12 50	7 50	20 00
	n half w half e half 17.....	25	Charles Coulter.....	.....	12 50	7 50	20 00
	n half e quarter 17.....	25	Henry Tuffemire.....	.....	12 50	7 50	20 00
	n w quarter 18.....	50	Francis Dundas.....	.....	25 00	15 00	40 00
	n e quarter 18.....	50	George Bullock.....	.....	25 00	15 00	40 00
	s quarter 7.....	50	William Gillanders.....	.....	25 00	15 00	40 00
	n half s half 7.....	50	James E. Gillanders.....	.....	25 00	15 00	40 00
	n half 7.....	100	John M. Reid.....	.....	50 00	30 00	80 00
	s half s w quarter 8.....	25	William Gillanders.....	.....	12 50	7 50	20 00
	n three quarters w half 8.....	75	Harvey Lundy.....	.....	37 50	22 50	60 00
	s e quarter 8.....	50	Scott Foster.....	.....	25 00	15 00	40 00
	n e quarter 8.....	50	M. W. Smith.....	.....	25 00	15 00	40 00
	s w quarter 9.....	50	David O. Smith.....	.....	25 00	15 00	40 00
	n w quarter 9.....	50	George F. Douglas.....	.....	25 00	15 00	40 00
	e half 9.....	100	William Judd.....	.....	50 00	30 00	80 00
	w half 10.....	100	William Griffin.....	.....	50 00	30 00	80 00
	n three-quarters e half 10.....	75	Elam E. Kimball.....	.....	37 50	22 50	60 00

w half

w half s quarter e half 10	12½	Robert Cowan	6 25	3 75	10 00
e half s quarter e half 10	12½	Joseph Cowan	6 25	3 75	10 00
w half 11	100	Aldolphus Armstrong	50 00	30 00	80 00
w three-quarters e half 11	75	W. Stevenson	37 50	22 50	60 00
e half e quarter 11	25	Samuel Stevenson	12 50	7 50	20 00
w quarter 12	50	Samuel Stevenson	25 00	15 00	40 00
e three-quarters 12	150	David B. Reid	75 00	45 00	120 00
s w quarter 13	50	Robert Stevenson	25 00	15 00	40 00
n w quarter 13	50	James Stevenson	25 00	15 00	40 00
e half 13	100	John Robinson	50 00	30 00	80 00
w half 14	100	Thomas Robinson	50 00	30 00	80 00
s e quarter 14	50	George Knox	25 00	15 00	40 00
n e quarter 14	50	John Dick	25 00	15 00	40 00
n half 15	100	John T. Ray	50 00	30 00	80 00
s half 15	100	John Reid, Jr.	50 00	30 00	80 00
w half 16	100	George B. Reid	50 00	30 00	80 00
w half e half 16	50	Joseph Reid	25 00	15 00	40 00
e quarter 16	50	Thomas Brown	25 00	15 00	40 00
w half 17	100	Wm. R. Coulter	50 00	30 00	80 00
e half 17	100	Leonard Coulter	50 00	30 00	80 00
n w quarter 18	50	William H. Beattie	25 00	15 00	40 00
s w quarter 18	50	Francis Dundas	25 00	15 00	40 00
e half 18	100	F. H. Creighton	50 00	30 00	80 00
w half 10	100	R. O. Y. Ainslie	50 00	30 00	80 00
s e quarter 10	50	Aldolphus Baker	25 00	15 00	40 00
n e quarter 10	50	Arthur Anderson	25 00	15 00	40 00
Lot 11	200	Cameron Estate	100 00	60 00	160 00
w half 12	100	Cameron Estate	50 00	30 00	80 00
e half 12	100	Toby Kimball	50 00	30 00	80 00
s w quarter 13	50	William Stevenson	25 00	15 00	40 00
n half 13	100	Chris. Stevenson	50 00	30 00	80 00
s e quarter 13	50	Frank Armstrong	25 00	15 00	40 00
s w quarter 14	50	Frank Armstrong	25 00	15 00	40 00
n w quarter 14	50	Thomas Buchanan	25 00	15 00	40 00
s e quarter 14	50	John Dick	25 00	15 00	40 00
n e quarter 14	50	Galvin Buchanan	25 00	15 00	40 00
s half 15	100	J. G. Buckham	50 00	30 00	80 00
n half 15	100	Alexander Buchanan	50 00	30 00	80 00
s w quarter 16	50	Thomas Robinson	25 00	15 00	40 00

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improvement.
	s e quarter 16	50	William Hooker	.....	25 00	15 00	40 00
	n w quarter 16	50	Alexander Campbell	.....	25 00	15 00	40 00
	n e quarter 16	50	William Sinclair	.....	25 00	15 00	40 00
	w half 17	100	Philip McIntosh	.....	50 00	30 00	80 00
	e half 17	100	Francis Dundas	.....	50 00	30 00	80 00
	s w quarter 18	50	Thomas Beattie	.....	25 00	15 00	40 00
	n w quarter 18	50	George Beattie	.....	25 00	15 00	40 00
	e half 18	100	John B. Douglas	.....	50 00	30 00	80 00
	s w quarter 19	50	Christopher Ineson	.....	25 00	15 00	40 00
	n w quarter 19	50	J. R. Mosgrove	.....	25 00	15 00	40 00
	s e quarter 19	50	W. S. Ineson	.....	25 00	15 00	40 00
	n e quarter 19	50	Wm. Brown	.....	25 00	15 00	40 00
	s w quarter 20	50	Joseph Ineson	.....	25 00	15 00	40 00
	s e quarter 20	50	David H. Ineson	.....	25 00	15 00	40 00
	n half 20	100	Henry Davies	.....	50 00	30 00	80 00
	w half 21	100	John Ineson	.....	50 00	30 00	80 00
	s e quarter 21	50	Francis Whittall	.....	25 00	15 00	40 00
	n e quarter 21	50	James Ineson	.....	25 00	15 00	40 00
	s w quarter 22	50	Robert Dales	.....	25 00	15 00	40 00
	n w quarter 22	50	David Ineson	.....	25 00	15 00	40 00
	s e quarter 22	50	Thomas Mosey	.....	25 00	15 00	40 00
	n e quarter 22	50	Frank Thompson	.....	25 00	15 00	40 00
	s w quarter 23	50	Frank Thompson	.....	25 00	15 00	40 00
	n w quarter 23	50	David Mosey	.....	25 00	15 00	40 00
	n e quarter 23	50	James Latimore	.....	25 00	15 00	40 00
	n e quarter 23	50	George Walker	.....	25 00	15 00	40 00
	n e part 9	50	Mrs. Mary Robinson	.....	25 00	15 00	40 00
	s e part 9	25	John A. McGregor	.....	12 50	7 50	20 00

n w quarter 10.....	42	Albert E. Calder.....	21 00	12 60	33 60
s w quarter 10.....	42	John A. McGregor.....	21 00	12 60	33 60
e part 10.....	84	John McKeane.....	42 00	25 20	67 20
w part 11.....	68	Frelick Bell.....	34 00	20 40	54 40
e part 11.....	100	Frank Anderson.....	50 00	30 00	80 00
w part 12.....	100	James McCracken.....	50 00	30 00	80 00
e part 12.....	68	Daniel Berney.....	34 00	20 40	54 40
n w part 13.....	34	Andrew Kenyon.....	17 00	10 20	27 20
s w part 13.....	34	John W. Kenyon.....	17 00	10 20	27 20
e part 13.....	100	Non-resident.....	50 00	30 00	80 00
n part 14.....	118	Non-resident.....	59 00	35 40	94 40
s e pt 14.....	50	Daniel Baldwin.....	25 00	15 00	40 00
s w pt 15.....	50	Angus Campbell.....	25 00	15 00	40 00
s e pt 15.....	50	Edward Millar.....	25 00	15 00	40 00
n pt 15.....	68	Non-Resident.....	34 00	20 40	54 40
s w part 16.....	50	Robt. J. Cathers.....	25 00	15 00	40 00
n w part 16.....	50	James W. Coulter.....	25 00	15 00	40 00
s e pt 16.....	34	Abraham McKinney.....	17 00	10 20	27 20
n e pt 16.....	34	Albert Luchia.....	17 00	10 20	27 20
n w pt 17.....	14	Albert Luchia.....	7 00	4 20	11 20
s e pt 17.....	154	Non-resident.....	78 00	45 20	123 20
s w quarter 18.....	42	Non-resident.....	21 00	12 60	33 60
w half s e quarter 18.....	21	George Brown.....	10 50	6 30	16 80
e half s e quarter 18.....	21	R. J. Terry.....	10 50	6 30	16 80
n half 18.....	84	George W. Cates.....	42 00	25 20	67 20
s w part 19.....	56	Stewart Mosgrove.....	28 00	16 80	44 80
s e part 19.....	56	Win. M. Mosgrove.....	28 00	16 80	44 80
n part 19.....	56	Thos. G. Mosgrove.....	28 00	16 80	44 80
s hf 20.....	84	Henry Davies.....	42 00	25 20	67 20
n w qr 20.....	42	William Skilling.....	21 00	12 60	33 60
n e qr 20.....	42	James McIntosh.....	21 00	12 60	33 60
Lot 21.....	168	William E. Whaley.....	84 00	50 40	134 40
s w qr 22.....	42	Wm. Thompson.....	21 00	12 60	33 60
s e qr 22.....	42	Isaac Thompson.....	21 00	12 60	33 60
n half 22.....	84	Cameron estate.....	42 00	25 20	67 20
n w qr 23.....	42	Cameron estate.....	21 00	12 60	33 60
n e qr 23.....	42	William R. Scott.....	21 00	12 60	33 60
s hf 23.....	84	Gaines Ineson.....	42 00	25 20	67 20
n hf 24.....	84	Mrs. Abigail Dancy.....	42 00	25 20	67 20

SCHEDULE A.—Continued.

Con. or plan No.	Lot or part of lot.	Area of acres.	Owners' name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total Value of im- provement.
	.....	9511	Total assessment on on lands...	.....	4756 50	2852 30	7608 80
	.....	18	8th concession road.....	.....	18 00	10 80	28 80
	.....	36	9th concession road.....	.....	36 00	21 60	57 60
	.....	54	10th concession road.....	.....	54 00	32 40	86 40
	.....	50	11th concession road.....	.....	50 00	30 00	80 00
	.....	50	& Tilbury W. $\frac{1}{2}$ to each.....	.....	25 00	15 00	40 00
	.....	15	6 and 7 side road.....	.....	15 00	9 00	24 00
	.....	30	12 and 13 side road.....	.....	30 00	18 00	48 00
	.....	30	18 and 19 side road.....	.....	30 00	18 00	48 00
	Total acreage.....	9794	Total assessment on roads.....	.....	258 00	154 80	412 80
			Total assessment on lands.....	.....			7608 80
			T'l assessm't on lands & roads.....	5014 50			8021 60
			Total for outlet.....	3007 10			
			Total for injuring.....	\$8021 60			

WM. NEWMAN, C. E.

Windsor, Feb. 15th, 1897.

And

And whereas the said Council of Tilbury West are of opinion that it is desirable to so improve and extend the said outlets of the Big Creek and Trembly Creek Drains, and to carry out the works proposed by the said engineer.

And whereas copies of the said engineer's report, plans, specifications, assessments and estimates of the said engineer have been served upon the respective heads of the said Municipalities of Tilbury North, Tilbury East, Romney and Mersea.

And whereas the Council of the Municipality of Tilbury East appealed to the drainage referee from the said report, plans, specifications, assessments and estimates, and the councils of the said other municipalities have not appealed, and the time for so appealing has elapsed.

And whereas upon the appeal of the said council of Tilbury East, the said referee has made his report in the following words :—

IN THE HIGH COURT OF JUSTICE.

BEFORE THE REFEREE UNDER THE DRAINAGE LAWS.

In the matter of the appeal by the Township of Tilbury East, in the County of Kent, from the report and assessment of William Newman, O. L. S., engineer for the Township of Tilbury West, for the proposed cleaning out, improving and dyking of Big Creek and its branches in the Townships of Tilbury North and Tilbury West.

WEDNESDAY, THE 5TH DAY OF MAY, 1897.

Pursuant to the Drainage Act, 1894 ; and the Amendments thereto and upon reading the notice of appeal by the Council of the Township of Tilbury East, from the report of William Newman, O. L. S., Engineer for the Township of Tilbury West, and from the assessment made by him upon the said Township of Tilbury East, for the proposed cleaning out of Big Creek and its branches. And upon reading the agreement made between the respective townships and signed by their respective counsel, and the respective Reeves of their municipal councils, and also the consent of the said William Newman, as such engineer.

It is ordered that the aggregate assessment placed upon the lands and roads of the said Township of Tilbury East, by the report of the said engineer for the said proposed drainage work, be and the same is hereby reduced from the sum of \$1,911.60 to the sum of \$1685.00.

And that the difference and reduction of the said assessment, being the sum of \$226.60 be adjusted over the lands and roads in the Township of Tilbury East chargeable with the said drainage work by the municipal council and Court of Revision of the said township as authorized, and according to the procedure prescribed by the Statutes in that behalf.

And it is further ordered that the amount of the said reduction, being the sum of \$226.60 be added to the assessment of the roads in the Township

ship of Tilbury West for the proposed drainage work, and that the aggregate assessment of the said Township for lands and roads be increased and made the sum of \$13,487 30, instead of the amount set out in the said report. And that such addition to and increase of the assessment of the roads in the said Township of Tilbury West, be adjusted and assessed over the roads in the said township chargeable with the said drainage work by the municipal council and Court of Revision of the said township as authorized and according to the procedure prescribed by the Statutes in that behalf.

And it is further ordered that all necessary amendments be made and proceedings be taken by the respective Municipal Councils aforesaid to carry out this order.

And that the said municipalities do pay in law stamps the sum of one dollar each, and also all proper charges of the clerk of the County Court of the County of Essex, and, save as aforesaid, each municipality do bear and pay its own costs of these proceedings.

THEREFORE, the said municipal council of the said Township of Tilbury West, pursuant to the provisions of the Drainage Act, 1894, enact as follows:—

First:—The said report, plans, specifications, assessments and estimates, as amended by the said referee, are hereby adopted, and the drainage works as therein indicated and set forth shall be made and constructed in accordance therewith.

Second:—The Reeve of the said Township of Tilbury West may borrow on the credit of the corporation of the said Township of Tilbury West the sum of thirteen thousand four hundred and eighty-seven and 30/100 dollars (\$13,487.30), the said municipality's proportion of the funds necessary for the work, and may issue debentures of the corporation to that amount in sums of not less than \$50 each, and payable within ten years from the date thereof, with interest at the rate of five per centum per annum, that is to say, in ten equal annual payments of principal money and interest combined, such debentures to be payable at the Merchant's Bank in the City of Windsor, Ontario, and to have attached to them coupons for the payment of interest, viz.:

SCHEDULE.

No.	Year Due.	Prin.	Interest.	Debenture.
1	1898	\$ 1072 30	\$ 674 37	\$ 1746 67
2	1899	1125 92	620 75	1746 67
3	1900	1182 21	564 46	1746 67
4	1901	1241 32	505 35	1746 67
5	1902	1303 39	443 28	1746 67
6	1903	1368 56	378 11	1746 67
7	1904	1436 99	309 68	1746 67
8	1905	1508 84	237 83	1746 67
9	1906	1584 28	162 39	1746 67
10	1907	1663 49	83 18	1746 67
		\$13487 30	\$3979 40	\$17466 70

Third :

Third : For paying the sum of \$7,195.72 the amount charged against the said lands and roads for outlet liability, and the sum of \$4,316.98 the amount charged against said lands and roads for injuring liability apart from lands belonging to or controlled by the Municipality of Tilbury West, and for covering interest thereon for ten years at the rate of five per centum per annum, the following total special rates, over and above all other rates, shall be assessed, levied and collected in the same manner and at the same time as other taxes are levied and collected upon and from the undermentioned lots and parts of lots and roads, and the amount of the said total special rates and interest against each lot or part of lot respectively shall be divided into ten equal parts and one such part shall be assessed, levied and collected as aforesaid in each year for ten years after the final passing of this By-law during which the said debentures have to run :—

SCHEDULE A.

SCHEDULE of lands and roads in the Township of Tilbury West assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay toward said improvement.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injurying liability.	Total improv't per cent.	To cover in't for 10 yrs 5 per cent.	Total special rate	Annual payment each yr fr 10 yrs
11	w hf 4.....	100	Cyrus Malott.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	w hf e hf 4.....	50	Samuel Lynn.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf e hf 4.....	50	Albert Lynn.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf 5.....	100	Wm. Calder.....	.....	50 00	30 00	80 00	23 61	103 61	10 36
	e hf 5.....	100	David Lynn.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	s pt 6.....	99	H. A. Nelson.....	.....	49 50	29 70	79 20	23 38	102 58	10 26
	s quar n hf 6.....	25	Samuel Stein.....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	n three-qr s n hf 6.....	75	Wm. Elliott.....	.....	37 50	22 50	60 00	17 71	77 71	7 77
	s hf 7.....	100	James McCracken.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	n hf 7.....	100	Jas. Vanhorne.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	n quar 8.....	50	Henry White.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w one-third s three-qr s 8.....	50	J. Terryberry.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	middle one-third s three-qr s 8.....	50	M. R. Anderson.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e one-third s three-qr s 8.....	50	D. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 9.....	50	D. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 9.....	50	Francis Birce.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf e hf 9.....	50	R. Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf e hf 9.....	50	John Kinsman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 10.....	50	A. R. Prendergast.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 10.....	50	Wm. Hannah.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 10.....	50	C. Pettit.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 10.....	50	James Lindsey.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 11.....	50	S. Reive.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 11.....	50	Non resident.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s hf 11.....	100	Non resident.....	.....	50 00	30 00	80 00	23 60	103 60	10 36

w hf s hf 12	50	James McIntosh	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 12	50	John Tilson	25 00	15 00	40 00	11 80	51 80	5 18
w hf n hf 12	50	Charles Mongeon	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 12	50	R. Robb	25 00	15 00	40 00	11 80	51 80	5 18
n hf 13	100	M. Prendergast	50 00	30 00	80 00	23 60	103 60	10 36
s hf 13	100	S. Kitchen	50 00	30 00	80 00	23 60	103 60	10 36
w hf 14	100	I. Willan	50 00	30 00	80 00	23 60	103 60	10 36
e hf 14	100	John McIntosh	50 00	30 00	80 00	23 60	103 60	10 36
w hf 15	100	John McNarland	50 00	30 00	80 00	23 60	103 60	10 36
e hf 15	100	John Thompson	50 00	30 00	80 00	23 60	103 60	10 36
s hf 16	100	W. G. Lang	37 50	22 50	60 00	17 71	77 71	7 77
e three-qls n hf 16	75	A. Shauler	37 50	22 50	60 00	17 71	77 71	7 77
w quar n hf 16	25	W. Storey	12 50	7 50	20 00	5 91	25 91	2 59
lot 17	200	Cameron Estate	100 00	60 00	160 00	47 22	207 22	20 72
w hf s hf 18	50	Thomas Buchanan	25 00	15 00	40 00	11 80	51 80	5 18
w hf n hf 18	50	A. Buchanan	25 00	15 00	40 00	11 80	51 80	5 18
e hf 18	100	D. Johnston	50 00	30 00	80 00	23 61	103 61	10 36
n quar w hf 19	25	W. Owens	12 50	7 50	20 00	5 91	25 91	2 59
s three qls w hf 19	75	W. J. Bell	37 50	22 50	60 00	17 70	77 70	7 77
w hf e hf 19	50	Thomas Bell	25 00	15 00	40 00	11 80	51 80	5 18
e hf e hf 19	50	David Bell	25 00	15 00	40 00	11 80	51 80	5 18
s hf 20	44	H. Powell	22 00	13 20	35 20	10 39	45 59	4 56
n hf 20	44	I. T. Gahan	22 00	13 20	35 20	10 39	45 59	4 56
lot 4	200	A. Cameron	100 00	60 00	160 00	47 21	207 21	20 72
w hf s hf 5	50	D. Chatterton	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 5	50	W. Warren	25 00	15 00	40 00	11 80	51 80	5 18
w hf n hf 5	50	Mrs. J. Bell	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 5	50	W. Dalgleish	25 00	15 00	40 00	11 80	51 80	5 18
n quar 6	50	Jane Vanidour	25 00	15 00	40 00	11 80	51 80	5 18
s pt n hf 6	49	W. M. Goathe	24 50	14 70	39 20	11 56	50 76	5 07
n hf s hf 6	50	R. McNaughton	25 00	15 00	40 00	11 80	51 80	5 18
s hf s hf 6	50	James Crozier	25 00	15 00	40 00	11 80	51 80	5 18
w hf 7	100	William Ludlam	50 00	30 00	80 00	23 60	103 60	10 36
e hf 7	100	J. N. Dutot	50 00	30 00	80 00	23 60	103 60	10 36
w hf 8	100	James Dutot	50 00	30 00	80 00	23 60	103 60	10 36
e hf n hf 8	50	George Taylor	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 8	50	Mrs. J. Truskey	25 00	15 00	40 00	11 80	51 80	5 18
e hf n hf 9	50	I. H. Watson	25 00	15 00	40 00	11 80	51 80	5 18
e hf s hf 9	50	J. E. Manley	25 00	15 00	40 00	11 80	51 80	5 18

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injur- ing liability.	Total value of improv't	Total in't for 10 yrs 5 per cent.	Total special rate.	Annual p't each y'r fr 10 yrs
	e hf n hf w hf 9.....	25	A. Vanidour .....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	e hf s hf w hf 9.....	25	N. Ryckman .....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	w quar 9.....	50	G. A. & W. J. Taylor.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 10.....	50	Ed. Jory .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 10.....	50	Alexander Sova, Jr.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf 10.....	100	N. Nelson .....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	e hf n hf 11.....	50	Eli Uich.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 11.....	50	Thos. Uich.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 11.....	50	Wm Magee.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 11.....	50	John Magee.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s hf 12.....	100	William Traquair.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	s hf n hf 12.....	50	A. Washburn.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n hf n hf 12.....	50	James Wilson .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n pt 13.....	99	John Mellow .....	.....	49 50	29 70	79 20	23 37	102 57	10 27
	n hf s hf 13.....	50	D. Strang .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s hf s hf 13.....	50	R. Parish .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n hf 14.....	100	John A. Mellow .....	.....	50 00	30 00	80 00	23 61	103 61	10 36
	s hf 14.....	100	John Traquair .....	.....	50 00	30 00	80 00	23 61	103 61	10 36
	n three-qr s n hf 15.....	75	George Robb.....	.....	37 50	22 50	60 00	17 72	77 72	7 77
	s quar n hf 15.....	25	Thomas Dunmore.....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	w hf s hf 15.....	50	Thomas Dunmore.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 15.....	50	Wm. Storey .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf s hf 16.....	50	P. Donohue .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf s hf 16.....	50	Ed Falconer .....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 16.....	50	Canada Co.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 16.....	50	Canada Co.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w hf n hf 17.....	50	F. Benoit.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e hf n hf 17.....	50	R. McKeown .....	.....	25 00	15 00	40 00	11 30	51 80	5 18
	w hf s hf 17.....	50	D. Dalgleish .....	.....	25 00	15 00	40 00	11 80	51 80	5 18

e hf s hf 17	50	James Gahan.....	25 00	15 00	40 00	11 80	51 80	5 18
s hf n hf 18	50	Peter Marchand	25 00	15 00	40 00	11 80	51 80	5 8
n hf n hf 18	50	W. Glazier	25 00	15 00	40 00	11 80	51 80	5 18
s hf s hf 18	50	S. Moffatt	25 00	15 00	40 00	11 80	51 80	5 18
n quar s hf 18	25	Peter Marchand	12 50	7 50	20 00	5 91	25 91	2 59
s hf n hf s hf 18	25	Jos. Marchand	25 00	15 00	40 00	11 80	51 80	5 18
s hf n hf 19	50	Wm. Benoit.....	25 00	15 00	40 00	11 80	51 80	5 18
n hf n hf 19	50	Ed. Marchand	25 00	15 00	40 00	11 80	51 80	5 18
s hf s hf 19	50	N. Authier	25 00	15 00	40 00	11 80	51 80	5 18
Gore lot 20.....	84	E. Haviland	42 00	25 20	67 20	19 82	87 02	8 70
s hf 4	100	H. Lindsay	50 00	30 00	80 00	23 61	103 61	10 36
w pt n hf 4	50	Jennet Fraser	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 9	50	R. W. Kennedy	25 00	15 00	40 00	11 80	51 80	5 18
n part 5	98½	J. Corman	49 62	29 38	79 00	23 31	102 31	10 23
s part 5	96½	John Calder	48 25	28 95	77 20	22 78	99 98	10 00
s half w half 6	50	R. W. Kennedy	25 00	15 00	40 00	11 80	51 80	5 18
n part w half 6	49	M. Lambert	24 50	14 70	39 20	11 57	50 77	5 08
e half 6	100	Andrew Wight	50 00	30 00	80 00	23 61	103 61	10 36
n half 7	100	R. Shanks	50 00	30 00	80 00	23 61	103 61	10 36
s half 7	100	George I. Jones	50 00	30 00	80 00	23 61	103 61	10 36
w half n half 8	50	W. Breen	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 8	50	John Breen	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 8	50	James Dutot	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 8	50	R. Barton	25 00	15 00	40 00	11 80	51 80	5 18
w half n half 9	50	H. Breen	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 9	50	M. A. Cowan	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 9	50	O. Pearsall	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 9	50	W. Henry	25 00	15 00	40 00	11 80	51 80	5 18
n half 10	103	John Shanks	50 00	30 00	80 00	23 61	103 61	10 36
e half s half 10	50	R. W. Kennedy	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 10	50	R. W. Kennedy	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 11	50	Lunday Sova	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 11	50	Alexander Sova	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 11	50	George Walker	25 00	15 00	40 00	11 80	51 80	5 18
w half e half s half 11	25	W. G. Stevenson	12 50	7 50	20 00	5 90	25 90	2 59
e quarter s half 11	25	John Beacom	12 50	7 50	20 00	5 90	25 90	2 59
n three-quarters 12	150	W. A. Mellow	75 00	45 00	120 00	35 41	155 41	15 54
s quarter 12	50	D. Armstrong	25 00	15 00	40 00	11 80	51 80	5 18

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improve- ment.	Tot'l co'r in't for 10 yrs 5 per cent.	Total special rate.	Annual p't each year fr 10 yrs
	lot 13	200	John Mellow.....	.....	100 00	60 00	160 00	47 21	207 21	20 72
	n half 14	100	J. Storey.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	w half s half 14	50	M. Boul'd.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half s half 15	50	C. Pettit.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half s half 15	50	D. Strang.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half n half 15	50	A. Pearson.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half n half 15	50	A. Trudell.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	gore 4.....	20	R. Jackson.....	.....	10 00	6 00	16 00	4 72	20 72	2 07
	gore 5.....	70	R. Jackson.....	.....	35 00	21 00	56 00	16 53	72 53	7 25
	n part 6.....	73	E. Heiser.....	.....	36 50	21 90	58 40	17 24	75 64	7 57
	s part 6.....	49	M. Lambert.....	.....	24 50	14 70	39 20	11 57	50 77	5 08
	n part 7.....	77	Agnes Harkness.....	.....	38 50	23 10	61 60	18 18	79 78	7 98
	s half s half 7.....	50	R. McQueen.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n half s half 7.....	50	Non resident.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half n half 8.....	50	E. Hillman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half n half 8.....	50	J. McFadden.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	w half s half 8.....	50	W. Lindsay.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half s half 8.....	50	Jones Green.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	lot 9.....	200	C. Frankfurth.....	.....	100 00	60 00	160 00	47 22	207 22	20 72
	n half 10.....	100	C. Thornton.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	s half 10.....	100	John Ford.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	w half n half 11.....	50	Thomas Leavitt.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	e half n half 11.....	50	Ed. Mitchell.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	s half 11.....	100	H. Pettit.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	lot 12.....	200	R. Keith.....	.....	100 00	60 00	160 00	47 22	207 22	20 72
	s half 13.....	100	C. Marchand.....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	e half n half 13.....	50	S. Hillman.....	.....	25 00	15 00	40 00	11 80	51 80	5 18
	n half w half n half 13.....	25	A. Kendrick.....	.....	12 50	7 50	20 00	5 90	25 90	2 59

s half w half n half 13	25	C. Thoruton.....	12 50	7 50	20 00	5 90	25 90	2 59
w half n half 14	50	E. Pearson	25 00	15 00	40 00	11 80	51 80	5 18
w half n half e half 14	25	E. Pearson	12 50	7 50	20 00	5 90	25 90	2 59
w quarter s half 14	25	S. Hillman	12 50	7 50	20 00	5 90	25 90	2 59
centre part s half 14	50	M. J. Hillman	25 00	15 00	40 00	11 80	51 80	5 18
e quarter 14	50	Jos. Thibert	25 00	15 00	40 00	11 80	51 80	5 18
n e corner w half 15	$49\frac{1}{2}$	S. Wyner	25 00	15 00	40 00	11 80	51 80	5 18
w part n half 15	49	A. Pearson	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 15	50	Jas. Colter	24 75	14 85	39 60	11 69	51 29	5 13
e half s half 15	50	H. Trudell	25 00	15 00	40 00	11 80	51 80	5 18
w quarter s half 15	25	Jos. Thibert	12 50	7 50	20 00	5 91	25 91	2 59
e half w half s half 15	25	A. Pearson	12 50	7 50	20 00	5 91	25 91	2 59
gore 8	27	C. MacDermott	13 50	8 10	21 60	6 37	27 97	2 80
w half gore 9	40	R. Jackson	20 00	12 00	32 00	9 44	41 44	4 14
e half gore 9	75	Wm. Brown	37 50	22 50	60 00	9 44	41 44	4 14
w three-quarters s half 10	25	Non-resident	12 50	7 50	20 00	5 91	25 91	2 59
e quarter s half 10	30	Jno. Cranston	15 00	9 00	24 00	7 08	31 08	3 11
n part 10	100	Jas. Sellars	50 00	30 00	80 00	23 60	103 60	10 36
s half 11	80	R. E. Dodson	40 00	20 00	64 00	18 89	82 89	8 29
w half 12	100	R. Ford	50 00	30 00	80 00	23 60	103 60	10 36
e half 12	100	A. Kendrick	50 00	30 00	80 00	23 60	103 60	10 36
n part 13	99	J. McDowall	49 50	29 70	79 20	23 38	102 58	10 26
n half s half 13	50	S. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
s half s half 13	50	Wm. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
w half n half 14	50	Jno. McDowall	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 14	50	S. Wymer	25 00	15 00	40 00	11 80	51 80	5 18
w half s half 14	50	A. Coulter	25 00	15 00	40 00	11 80	51 80	5 18
e half s half 14	50	R. J. Coulter	25 00	15 00	40 00	11 80	51 80	5 18
s half 15	100	S. Palmer	50 00	30 00	80 00	23 60	103 60	10 36
w half n half 15	50	Geo. Wylie	25 00	15 00	40 00	11 80	51 80	5 18
e half n half 15	50	C. Wylie	25 00	15 00	40 00	11 80	51 80	5 18
w part 5	110	George Buchanan	43 75	26 25	70 00	20 65	90 65	9 06
w part e half 5	85	Maggie Buchanan	42 50	25 50	68 00	20 06	88 06	8 81
w part n half 6	49	Geo. Fran' furth	24 50	14 70	39 20	11 56	50 76	5 08
n e corner w half n half 6	1	Ed. Whatley	50 00	30 00	80 00	24 00	1 04	10 10
w half s half 6	50	E. Heiser	25 00	15 00	40 00	11 80	51 80	5 18
part e half 6	97	Cameron Estate	48 50	29 10	77 60	22 90	100 50	10 05
v lots 3, 4, 5, 6, 7, 8, 9, n hf 6	1 $\frac{1}{4}$	Cameron Estate	62 00	38 00	1 00	29 00	1 29	13 13

M R S

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owners' Names.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improve- ment.	Tot'l co'r in't for 10 y'rs 5 per cent.	Total special rate.	Annual p't each y'r fr' 10 y'rs
	v lot 11 on n half 6	1 1/2	H. Prov'd't & Loan Co .....	.....	25	15	40	12	52	05
	v lots 1 and 2 on n half 6	1 1/2	Wm Taylor .....	.....	25	15	40	12	52	05
	v lots 10, 11, 12, on n half 6	1 1/2	Cameron Estate .....	.....	38	22	60	17	77	08
	s half 7	100	D. McAllister .....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	w part n w quarter 7	7	D. McAllister .....	.....	3 50	2 10	5 60	1 65	7 25	72
	e part n half 7	45	W. Burnard .....	.....	6 25	3 75	10 00	2 95	12 95	1 30
	w part n w quarter 7	34	W. Harman .....	.....	12 50	7 50	20 00	5 91	25 91	2 59
	v lots 7, 8 and 9 on 7	1 1/2	L. Ward .....	.....	25	15	40	12	52	05
	v lots 11 and 12 on 7	1-5	W. A. McIntosh .....	.....	10	06	16	04	20	02
	village lot 13 on 7	1-5	D. Entrieken .....	.....	10	06	16	04	20	02
	village lot 14 on 7	1-5	Jas. Whales .....	.....	10	06	16	04	20	02
	v Lots 15 and 16 on 7	2-5	C. P. Coulson .....	.....	20	12	32	10	42	04
	v Lot 17 on 7	1-5	Mann Estate .....	.....	10	06	16	04	20	02
	v Lot 21 on 7	1-6	I. Ward .....	.....	10	06	16	04	20	02
	v Lot 23 on 7	1-6	J. Goatbe .....	.....	05	05	14	04	18	02
	v Lot 25 on 7	1-5	Augusta Fenner .....	.....	10	06	16	04	20	02
	v Lot 26 on 7	1 1/2	F. Shultz .....	.....	12	08	20	06	26	03
	v Lot 27 on 7	1-5	D. Vokes .....	.....	10	06	16	04	20	02
	v Lot 26 on 7	1-5	D. McAllister .....	.....	10	06	16	04	20	02
	34, 35, 36, 37, 38, 39, on 7	1 1/2	D. Vokes .....	.....	88	52	1 40	41	1 81	18
	Lot 29 on 7	1 1/2	John White .....	.....	25	15	40	12	52	05
	s half lot 8	100	A. Haliday .....	.....	50 00	30 00	80 00	23 60	103 60	10 36
	e half 9	100	W. Elliott .....	.....	12 50	7 50	20 00	5 93	25 93	2 59
	w half 9	100	J. S. Ainslie .....	.....	12 50	7 50	20 00	5 93	25 93	2 59
	w hf 10	100	B. Roadhouse .....	.....	12 50	7 50	20 00	5 93	25 93	2 59
	e hf 10	100	W. Wallace .....	.....	12 50	7 50	20 00	5 93	25 93	2 58
	s hf 11	100	R. Shanks .....	.....	25 00	15 00	40 00	11 80	51 80	5 19
	s hf 12	100	F. Lickman .....	.....	31 25	18 75	50 00	14 76	64 76	6 48
	w pt n hf 13	49	R. E. Dodson .....	.....	24 50	14 70	39 20	11 58	50 78	5 08

SCHEDULE A.—Continued.

Con. or Plan No.	Lot or part of lot.	Area Acres.	Owners' names.	Value of benefit.	Value of outlet liability.	Value of injurying liability.	Total value of improve- ment.	Total co'r in t for 10 yr's 5 per cent.	Total special rate.	Annual p't each yr fr 10 yrs
	v lot 29 on 6	1-5	A. McKenzie.....	.....	10	06	16	05	21	02
	v lot 30 on 6	1-5	W. Armitage.....	.....	10	06	16	05	21	02
	v lot 31 on 6	1-5	R. O. Y. Ainslie .....	.....	10	06	16	05	21	02
	v lot 32 on 6	1-5	T. Beattie .....	.....	10	06	16	05	21	02
	v lots 33 and 34 on 6	2-5	Geo. Ainslie .....	.....	20	12	32	08	40	04
	v lot 35 on 6	1-5	A. T. Allen .....	.....	10	06	16	05	21	02
	v lot 36 on 6	1-5	A. F. Allen .....	.....	10	06	16	05	21	02
	v lot 43 on 6	1-5	C. Blim .....	.....	10	06	16	05	21	02
	v lot 44 on 6	1-5	C. Douglas.....	.....	10	06	16	05	21	02
	v lot 47 on 6	1-5	Jas. Sellars.....	.....	10	06	16	05	21	02
	v lot 51, 52, 53 on 6.....	3-5	S. Whatley.....	.....	30	18	48	12	60	06
	v lot 54, 55, 56, 57 on 6	4-5	Jas. Kerr .....	.....	40	24	64	16	80	02
	v lot 58 on 6	1-8	W. Dalton .....	.....	06	04	10	03	13	02
	v lot 61 on 6	1-5	W. Taylor .....	.....	10	06	16	05	21	08
	v lot 62 on 6	1	Alice Allen.....	.....	50	30	80	24	1 04	11
	v lot 19 on 6	1-5	T. Beattie .....	.....	10	06	16	05	21	02
	park lots A and B on 6	1	F. F. Jones .....	.....	50	30	80	24	1 04	11
	park lot C on 6	1	H. Howe.....	.....	25	15	40	12	52	05
	park lots D and E on 6	1	Geo. Ainslie .....	.....	25	15	40	12	52	05
	s e part 6	22	W. Taylor .....	.....	11 00	6 60	17 60	5 19	22 79	2 28
	v lot 20 on n hf 6	1-5	Alex. Wands .....	.....	10	06	16	05	21	02
	v lots 2 and 3 on 7	1	Geo. Millar .....	.....	25	15	40	12	52	05
	v lots 4 and 5 on n hf 7	1	D. Dewhurst .....	.....	25	15	40	11	51	05
	v lot s hf 32 on n hf 7	1-8	H. Hallett .....	.....	06	04	10	03	13	02
	v lot n hf 32 on n hf 7	1-8	Thos. Beattie .....	.....	06	04	10	03	13	02
	v lot n hf 33 on 7	1	W. Harmer .....	.....	25	15	40	11	51	05
	v lots 6, 7, 8 on 7	1	M. Creighton.....	.....	50	30	80	24	1 04	11
	v lot 26 on 7	1	C. Ford .....	.....	38	22	60	18	78	08
	v lot 27 on 7	1	I. H. Ainslie .....	.....	25	15	40	11	51	05
	v lot 28 on 7	2-5	Alex. Ainslie .....	.....	20	12	32	09	41	04

v lot S.R.R. s part 7	1-5	M. Laporte	10	06	16	05	21	02
v lot S.R.R. s part 7	3 $\frac{1}{2}$	W. Warren, sr	1 80	1 00	2 80	83	3 63	37
v lot S.R.R. 2 on s hf 7	1-5	C. Frankfurth	10	06	16	05	21	02
v lot S.R.R. 3 on s hf 7	1-5	C. Frankfurth	10	06	16	05	21	02
v lots 4 and 5 on 7	1-5	J. E. Hull	25	15	40	11	51	05
v lot 7 on 7	1-5	A. Buchanan	10	06	16	05	21	02
v lot 8 on 7	1-5	W. Elliott	10	06	16	05	21	02
v lot 9 on 7	1-5	Jno. McKeown	10	06	16	05	21	02
v lot 10 on 7	1-5	C. Macdermott	10	06	16	05	21	02
v lot 11 on 7	1-5	J. Storey	10	06	16	05	21	02
v lot 12 on 7	1-5	C. N. Anderson	10	06	16	05	21	02
v lot 13 on 7	1-5	A. J. Brown	10	06	16	05	21	02
v lot 14 on 7	1-5	Jas. Lewis	10	06	16	05	21	02
v lots 15, 16 and 20 on 7	2-5	P. A. Flaherty	20	12	32	09	41	04
v lot 17 on 7	1 5	D. Shanks	10	06	16	05	21	02
v lot 18 on 7	1 5	S. Whatley	10	06	16	05	21	02
v lot 19 on 7	1-5	Jno. Elliott	10	06	16	05	21	02
v lot 22 on 7	1-8	Jno. Gee	06	04	10	03	13	02
v lot 23 on 7	1-5	W. Harner	10	06	16	05	21	02
v lot 24 on 7	1-8	T. Anderson	06	04	10	03	13	02
v lot 21 on 7	1-8	Louis Robbins	06	04	10	03	13	02
v lot 42 on 7	1-5	John Elliott	10	06	16	05	21	02
v lot 43 on 7	1-5	N. Leclaire	10	06	16	05	21	02
v lots 45 and 46 on 7	2-5	M. and C. McDowall	10	12	32	09	41	04
v lots 74, n hf 73 on 7	3-10	W. Chatterton	15	09	24	07	31	03
v lots 72, s hf 73 on 7	3-10	A. Beauchene	15	09	24	07	31	03
v lots 61 and 62 on 7	2-5	W. Joynt	20	12	32	09	41	04
v lot 83 on 7	1-5	M. Coutier	10	06	16	05	21	02
v lot part s half 7	2 $\frac{1}{2}$	J. W. Sifton	1 25	75	2 00	59	2 59	26
v lot s w corner 7	1-2	Jas. Logan	25	15	40	11	51	05
v lot 59 s hf 7	1-5	N. Selkirk	10	06	16	05	21	02
v lot 25 on 7	1-5	H. Wright	10	06	16	05	21	02
v lot 26 on 7	1-5	H. Thompson	10	06	16	05	21	02
v lots 27 and 28 on 7	2-5	E. Johnston	20	12	32	10	42	04
v lot 29 on 7	1-5	J. D. and G. A. Ainslie	10	06	16	05	21	02
v lot 31 on 7	3	Jas. Sellars	56	15	40	12	52	05
s e part 7	60	Robt. Jackson	6 25	3 75	10 00	2 95	12 95	1 29
s part 13	96	R. F. Dodson	48 00	28 80	76 80	22 67	99 47	9 95
n part 13	93	Mrs. E. Johnston	46 50	27 90	74 40	21 96	96 36	9 64

SCHEDULE A.—*Concluded.*

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Name.	Value of benefit.	Value of outlet liability.	Value of injuring liability.	Total value of improve- ment.	Tot'l co'r in't for 10 y'rs 5 per cent.	Total special rate.	Annual profit, each ye's fr 10 y'rs
				\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
	s hf 14	100	Wm. Holmes	50 00	30 00	80 00	23 60	103 60	10 36	
	w pt n hf 14	28	E. Thomas	14 00	8 40	22 40	6 60	29 00	2 90	
	e pt n hf 14	67	F. Shultz	33 50	20 10	53 60	15 80	69 40	6 94	
	w pt n hf 15	47	T. Jackson	23 50	14 10	37 60	11 10	48 70	4 87	
	e pt n hf 15	47	F. Morris	23 50	14 10	37 60	11 10	48 70	4 87	
	w hf s hf 15	50	M. Grimshaw	25 00	15 00	40 00	11 80	51 80	5 18	
	e hf s hf 15	50	P. Sartegny	25 00	15 00	40 00	11 80	51 80	5 18	
		14892 $\frac{2}{3}$	Total ass'm't on lands ..	7195 72	4316 98	11512 70	3396 80	14909 50	1490 95	
			ASSESSM'T ON ROADS.							
	lots road in rear	10	Tilbury W. & N., $\frac{1}{2}$ each. .	5 00	3 00	8 00	2 36	10 36	1 04	
M.R.N.	Middle road	35		35 00	21 00	56 00	16 52	72 52	7 25	
M.R.S.	lots road in rear	40		40 00	24 00	64 00	18 88	82 88	8 24	
	road between	25	7 and 8 concessions	25 00	15 00	40 00	11 80	51 80	5 18	
	road between	35	8 and 9 concessions	35 00	21 00	56 00	16 52	72 52	7 25	
	road between	50	9 and 10 concessions	50 00	30 00	80 00	23 61	103 61	10 36	
	road between	50	10 and 11 concessions	50 00	30 00	80 00	23 61	103 61	10 36	
	T'line between Mersea	50	& Tilbury E., $\frac{1}{2}$ each. .	25 00	15 00	40 00	11 80	51 80	5 18	
		20	Comber streets	20 00	12 00	32 00	9 44	41 44	4 15	
	6 and 7 side road	30		30 00	18 00	48 00	14 16	62 16	6 22	
	12 and 13 side road	45		45 00	27 00	72 00	21 24	93 24	9 33	
	18 and 19 side road	15		15 00	9 00	24 00	7 08	31 08	3 11	
	T'line between Tilbury	15	West & Romney $\frac{1}{2}$ each. .	7 50	4 50	12 00	3 54	15 54	1 55	
		15	M. C. R. R.	7 50	4 50	12 00	3 54	15 54	1 54	
		30	L. and St. C. R. R.	15 00	9 00	24 00	7 09	31 09	3 11	

Total

Total assessment on roads in Tilbury West by engineer.....	405 00	243 00	648 00	191 19	839 19	83 92
Total amount added to roads in Tilbury West by referee.....	.....	.....	226 60	66 85	293 45	29 35
Total on roads.....	405 00	243 00	874 60	258 04	1132 64	113 27
Bridges in Tilbury West.....	.....	.....	1100 00	324 56	1424 56	142 46
Total on lands.....	7195 72	4316 98	11512 70	3396 80	14909 50	1490 95
Total on roads.....	405 00	243 00	874 60	258 04	1132 64	113 27
Total assessment.....	7600 72	4559 98	13487 30	3979 40	17466 70	1746 68

Fourth :—For paying the sum of \$648.00 the amount assessed against the said roads and lands of the municipality of Tilbury West, and the further sum of \$226.60 as required by the report of the said referee, and the further sum of \$1100.00 the proportion of the cost of bridges and culverts over the drainage works payable by the municipality of Tilbury West and for covering interest on the said sums of \$648.00, \$226.60, and \$1100.00 respectively, for ten years at the rate of five per centum per annum a special rate on the dollar sufficient to produce the required yearly amount therefor shall over and above all other rates be levied and collected in the same manner and at the same time as taxes are levied and collected upon and from the whole rateable property in the said municipality of Tilbury West in each year for ten years after the final passing of this by-law, during which the said debentures have to run.

Fifth :—So far as this Council has authority to enact and subject to such alterations as may be made by the proper Court of Revision, or on appeal therefrom to the Judge for paying the sum of \$4086.38 the amount charged against the lands and roads in the township of Tilbury North, for benefit and the sum of \$5,223.83 the amount charged against said lands and roads for outlet liability, and the sum of \$2,578.94, the amount charged against said lands and roads for injuring liability, apart from lands and roads belonging to or controlled by the municipality of Tilbury North, and for covering interest thereon for twenty years at the rate of five per centum per annum the following total special rate with interest added over and above all other rates shall be assessed, levied and collected in the same manner and at the same time as other taxes are levied and collected upon and from the undermentioned lots and parts of lots and roads, and the amount of the said total special rates against each lot or part of lot respectively shall be divided into twenty equal parts, and one such part shall be assessed, levied and collected as aforesaid in each year for twenty years after the final passing of this By-law, during which the said debentures have to run.

SCHEDULE of lands and roads in the Township of Tilbury North, assessed for the repairing, improving and extending of Big Creek drain and its branches in the Townships of Tilbury North and Tilbury West, together with the amount which each lot or part of lot and road should bear and pay toward said improvement.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit. \$ c.	Value of outlet liability. \$ c.	Value of injuring liability. \$ c.	Total value of im- provement. \$ c.
B. F	w pt 13	40	Fred. Mackean	24 00			24 00
	pt 14	12½	M. McCuaig	7 50			7 50
	pt 14	45	Fred. Lee	27 00			27 00
	pt 15	40	George Morris	24 00			24 00
	s w cor 16	2½	Adolphus Brown	3 20			3 20
	pt 16	68	Non-resident	40 00			40 00
	pt 16 and 17	85 22 100	Grand Trunk Railway				
	w pt 17	16	Non-resident	10 80			10 80
	lot 18	184	Cameron, Curry estate	110 00			110 00
	lot 19	270	Johnston Orr	160 00			160 00
	s pt 20	79	P. F. Strong	94 80			94 80
	middle pt 20	71	P. F. Strong	85 20			85 20
	s w pt 21	70	Pierre Lesperance	84 00			84 00
	pt 21	30	Francis Girard	36 00			36 00
	n pt 21	50	Aaron Strong	60 00			60 00
	s pt 22	25	P. F. Strong	30 00			30 00
	w hf 13	100	Chris. McKeown	100 00			100 00
	e hf 13	100	M. W. Thorne	120 00			120 00
	w hf 14	100	Fred. Lee	120 00			120 00
	e hf 14	100	Murray Hill	120 00			120 00
	w hf 15	100	George Morris	120 00			120 00
	e hf 15	100	Wm. Prendergast	120 00			120 00
	w hf s hf 16	50	Wm. Holland	60 00			60 00
	e hf s hf 16	50	George Sheldon	60 00			60 00
	n hf s 16	100	Adam Roszel	120 00			120 00

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w hf s hf 17	50	Hugh Holland, sr.	60 00	60 00
w hf n hf 17	50	John S. Holland	60 00	60 00
e pt 17	100	Hugh Holland, sr.	120 00	120 00
pt 18	180	Arthur Harvey	216 00	216 00
s e cor 18	20	Anthony Chauvin	24 00	24 00
s hf 19	100	Martin Welsh	120 00	120 00
n hf 19	100	Non-resident	120 00	120 00
w pt 20	170	Jeremie Mailloux	204 00	204 00
n e cor 20	30	F. X. Mailloux	36 00	36 00
lot 21	200	Hilaire Mailloux	240 00	240 00
s w qr 22	50	Thomas Strong	60 00	60 00
s e qr 22	50	Alexander Strong	40 00	40 00
n hf 22	100	P. F. Strong	80 00	80 00
n hf 13	100	George Morris	50 00	100 00
s hf 13	95½	Pierre Peltier	28 65	76 40
n hf 14	100	George Morris	50 00	100 00
n hf s hf 14	100	Pierre Peltier	25 00	50 00
s pt 14	45½	Albert Macklem	22 75	45 50
w hf n hf 15	50	Josiah Marshall	25 00	50 00
w pt s hf 15	47¾	Murray Hill	21 00	45 00
e hf n hf 15	50	David Thomas	25 00	50 00
e hf s hf 15	47¾	Albert Macklem	21 00	45 00
w hf n hf 16	50	John Warnock	30 00	55 00
e hf n hf 16	50	David Henderson, sr	30 00	55 00
s hf 16	96½	Adam Roszel	28 65	76 40
w hf n hf 17	50	Xavier Reaume	30 00	55 00
w pt s hf 17	70¼	John H. Macklem	29 50	65 00
e hf n hf 17	50	Anthony Chauvin	30 00	55 00
e pt s hf 17	23¾	Ebenezer Kelley	11 75	23 75
w qr 18	48 82	Ebenezer Kelley	25 50	50 00
middle part 18	100	Claude Labute	52 00	100 00
e qr 18	96 35	Martin Welsh	24 50	45 00
lot 19	41	Martin Welsh	102 20	200 00
w hf 20	195 35	John Sooper	51 50	100 00
e hf 20	100	Paul Besinaire	51 50	100 00

SCHEDULE.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of Acres.	Owners' Names.	Value of benefit. \$ c.	Value of outlet liability. \$ c.	Value of injury liability. \$ c.	Total value of im- provement. \$ c.
2	n qr 21	48½	Paul Besinaire	33 50	24 50	15 00	58 00
	e hf w hf 21	48½	Pierre Blais	25 75	24 25	15 00	50 00
	e hf w hf 21	48½	Noel Carrier	25 75	24 25	15 00	50 00
	n hf e qr 21	25	Louis Sauve	12 50	12 50	15 00	25 00
	s hf e qr 21	23½	Moise Lenoue	10 00	10 00	15 00	20 00
	w qr 22	48½	L. Bpi Lenoue	25 75	24 25	15 00	50 00
	e pt w hf 22	47	Alfred Brule	20 00	20 00	15 00	40 00
	e pt 22	94	Alfred Brule	20 00	20 00	15 00	40 00
	n pt 13	49½	H. Holland, sr	20 00	25 00	15 00	40 00
	n hf s hf 13	50	Wm. Keith	25 00	25 00	15 00	40 00
	s hf n hf 13	50	Andrew Holland	25 00	25 00	15 00	40 00
	s qr 13	50	Hugh Holland	25 00	25 00	15 00	40 00
	n hf 14	100	Ernest Grenier	50 00	50 00	30 00	80 00
3	w hf s hf 14	50	Joseph Millar	25 00	25 00	15 00	40 00
	w hf e hf s hf 14	25	Francis Mailloux, sr	12 50	12 50	7 50	20 00
	e qr s hf 14	25	Frank Mailloux	5 00	25 00	15 00	45 00
	w hf n hf 15	50	Robert Ladouceur	5 00	25 00	15 00	40 00
	w hf s hf 15	50	Nolas Bornais	5 00	25 00	15 00	45 00
	e hf n hf 15	50	Josiah Marshall	5 00	25 00	15 00	45 00
	w hf e hf s hf 15	25	Joseph Mailloux	12 50	12 50	7 50	20 00
	e qr s hf 15	25	Lucien Mailloux	12 50	12 50	7 50	20 00
	w ⅔ n hf 16	33½	Peter Runelle	3 33	13 32	10 00	26 65
	e ⅔ w hf 16	66½	John Palmer	6 80	26 50	20 00	53 30
	w hf s hf 16	50	James Thomas	25 00	25 00	15 00	40 00
	e hf s hf 16	50	John Stratford	25 00	25 00	15 00	40 00
	w pt n hf 17	55	John H. Macklem	11 00	27 50	16 50	55 00
	w pt s hf 17	75	John Wilcox	37 50	37 50	22 50	60 00
	e pt n hf 17	45	Henry Marshall	13 50	22 50	13 50	36 00

e p t s h f 17	25	John Palmer	12 50	7 50	20 00
w h f 18	100	John Palmer	50 00	30 00	80 00
n h f e h f 18	50	John Walker	25 00	15 00	40 00
s h f s h f 18	50	Albert Tourangeau	25 00	15 00	40 00
n h f 19	100	Narcisse Troitier	50 00	30 00	80 00
s h f 19	100	John J. Jackson	50 00	30 00	80 00
w p t n h f 20	55	Chas. Beaugrand	13 75	8 25	22 00
w q r s h f 20	25	Wm. Marchand	6 25	3 75	10 00
w h f s h f s h f 20	45	Amabel Roi	11 25	6 75	18 00
e q r s h f 20	25	Oliver Larsh	6 25	3 75	10 00
e h f w h f s h f 20	25	Francis Marchand	6 25	3 75	10 00
n h f w q r 21	25	Pierre Marchand	6 25	3 75	10 00
w q r s h f 21	25	Amable Roi	6 25	3 75	10 00
w h f e h f 21	50	Camille Lefebvre	12 50	7 50	20 00
e h f w h f 21	50	Camille Lefebvre	12 50	7 50	20 00
e q r 21	50	Joseph Lefebvre	12 50	7 50	20 00
w p t n q r n h f 22	18 ³	J. S. Richardson	4 70	2 80	7 50
w p t s h f n q r 22	18 ³	Julien Bourdau	4 70	2 80	7 50
w p t s h f n h f 22	37 ¹	Joseph Ruiz	9 40	5 60	15 00
w p t n h f e h f 22	37 ¹	J. B. Marchand	9 40	5 60	15 00
n h f 13	100	Robert Vinters	50 00	30 00	80 00
n h f s h f 13	50	Elizabeth Manning	25 00	15 00	40 00
s q r 13	50	Sarah Straford	25 00	15 00	40 00
w h f n h f 14	50	Theo Ouellette	25 00	15 00	40 00
w q r n h f 14	25	Samuel Ouellette	12 50	7 50	20 00
e q r n h f 14	25	Francis Benoit	12 50	7 50	20 00
w h f s h f 14	50	Chris. Straford	25 00	15 00	40 00
e h f s h f 14	50	Thos. Vickerman	25 00	15 00	40 00
n h f 15	100	Jos. Peltier	50 00	30 00	80 00
w h f s h f 15	50	D. Henderson, sr	25 00	15 00	40 00
e h f s h f 15	50	John Arnew	25 00	15 00	40 00
n h f 16	100	John Warnock	50 00	30 00	80 00
s h f 16	100	Elizabeth Jackson	50 00	30 00	80 00
n h f 17	100	Samuel Ouellette	50 00	30 80	80 00
n h f s h f 17	50	Alex. Trudelle	25 00	15 00	40 00
p t s h f 17	40 ¹	J. M. Vickerman	20 25	12 15	32 40
p t s h f 17	5	John Trease	2 50	1 50	4 00

SCHEDULE.—Continued.

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit. \$ c.	Value of outlet liability. \$ c.	Value of injuring liability. \$ c.	Total value of im- provement. \$ c.
4	w q r n hf 18	25	Alex. Cassidy	..	12 50	7 50	20 00
	e q r n hf 18	25	Bridget Palmer	..	12 50	7 50	20 00
	e hf n hf 18	50	Peter Reynolds	..	25 00	15 00	40 00
	n hf s hf 18	46	Henry Rowland	..	23 00	13 80	36 80
	e pt s hf 18	46	Francis St. Denis	..	23 00	13 80	36 80
	n q r 19	50	Alex. Trudelle	..	25 00	15 00	40 00
	s hf n hf 19	50	Clement Therien	..	25 00	15 00	40 00
	s hf 19	95½	John Jardine	..	47 75	28 65	76 40
	w pt n hf 20	40	Clement Therien	..	10 00	6 00	16 00
	n e pt 20	25	Pierre Marchand	..	6 25	3 75	10 00
	s pt w hf 20	63½	Moise Verchereau	..	15 90	9 60	25 50
	e part 20	25	Moise Verchereau	..	6 25	3 75	10 00
	s e pt 20	3	Hilaire Morin	..	20	10	30
	pt 21	121	J. B. Bornais	..	30 25	18 15	48 40
	w pt n hf 16	54	Mrs. M. Wilson	..	27 00	16 20	43 20
	n e pt n hf 16	1	Fred. Schultz	..	12	08	20
	pt n hf 16	1½	Robert Vickerman	..	75	45	1 20
	s hf 16	42	Henrietta Manning	..	21 00	12 60	33 60
	s hf 16	96	Samuel Moffatt	..	48 00	28 80	76 80
	w pt n hf 17	40	Henrietta Manning	..	20 00	12 00	32 00
M. R. N.	s hf 17	100	John McDowall	..	50 00	30 00	80 00
	n q r 18	50	Wm. Dodd	..	25 00	15 00	40 00
	s hf 18	100	Antoine Dagneau	..	50 00	30 00	80 00
	s hf n hf 18	50	Wm. Fraine	..	25 00	15 00	40 00
	w hf 19	100	P. J. Fleming	..	50 00	30 00	80 00
	e hf 19	100	David Henderson, sr	..	50 00	30 00	80 00
	w pt 20	40	Joseph Giroux	..	10 00	6 00	16 00

3rd pt 20	40	Julien Duquette	10 00	6 00	16 00
2nd pt 20	40	M. Charteris	10 00	6 00	16 00
e pt 20	80	Felix Couture	20 00	12 00	32 00
n qr 21	50	George Tisdale	12 50	7 50	20 00
w pt 21	1	J. A. Tremblay	25	15	40
n pt s hf 21	44	Edgar Morin	11 00	6 60	17 60
w hf e hf s hf 21	25	Joseph Marchand	6 25	3 75	10 10
s hf n hf 21	50	Emile Marchand	12 50	7 50	20 00
e qr s hf 21	25	M. Champagne	6 25	3 75	10 00
w hf s hf 22	50	Joseph Marchand	12 50	7 50	20 00
s hf n hf 22	37½	W. Wright	9 37	5 63	15 00
w pt e hf s hf 22	25	Rosalie St. Denis	6 25	3 75	10 00
w hf n hf 16	50	Henry Rowson	25 00	15 00	40 00
s hf n hf 16	50	Samuel Moffatt	25 00	15 00	40 00
s hf 16	100	Christopher Wylie	50 00	30 00	180 00
w pt 17	170	Aug. Damphouse	85 00	51 00	36 00
e pt 17	30	George Tisdale	15 00	9 00	24 00
w pt 18	74	George Tisdale	37 00	22 50	59 50
e pt 18	124	David Henderson, sr	62 00	37 20	99 20
w hf n hf 19	50	Thomas Atkinson	12 50	7 50	20 00
s e hf n hf 19	50	Joseph Giroux, sr	12 50	7 50	20 00
w hf s hf 19	50	David Duquette, jr	12 50	7 50	20 00
n hf s hf 19	50	David Duquette, sr	12 50	7 50	20 00
n hf 20	100	Pierre Dozois	25 00	15 00	40 00
w pt s hf 20	11	David Duquette, sr	2 75	1 65	4 40
pt n e cor 20	5	Francis Audet	1 25	75	2 00
middle pt s hf 20	72	Julien Thibeault	18 00	10 80	28 80
s e pt 20	12	Camille Dupras	3 00	1 80	4 80
w qr n hf 21	25	Francis Audet	6 25	3 75	10 00
s w pt 21	25	Salomie Labonte	6 25	3 75	10 00
1 pt s hf 21	12½	Francis Audet	3 12	1 88	5 00
2 pt s hf 21	12½	Wm. Chevalier	3 12	1 88	5 00
e pt n hf 21	50	Emellie Marchand	12 50	7 50	20 00
e pt s hf 21	50	Desire Daigneau	12 50	7 50	20 00
e pt w hf n hf 21	24½	Jean M. Dupras	6 20	3 70	9 90
w qr n hf 22	25	Henrietta Duplessis	6 25	3 75	10 00
e hf w hf n hf 22	25	Emellie Marchand	6 25	3 75	10 00
1 pt n hf 22	25	Mary Carrier	06	04	10 00

M. R. S ..

SCHEDULE — Continued.

Con. or Plan No	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit. c. s.	Value of outlet liability. c. s.	Value of injury liability. c. s.	Total value of im- provement. c. s.
M. R. S...	2 pt n hf 22	1 1/2	Pat. McMahon	...	06	04	10
	3 pt n hf 22	3	John White	...	06	04	10
	4 pt n hf 22	4	Joseph Carrier	...	06	04	10
	5 pt n hf 22	43	Felix Carrier	...	06	04	10
	e pt n hf 22	50	Henry Carrier	...	12 50	7 20	19 20
	s hf n hf 22	50	James Kerr	...	12 50	7 50	20 00
	s qr 22	50	Julia Kerr	...	1 75	1 05	2 80
	gore 20	7	Camille Dupras	...	14 50	8 70	23 20
	gore 21	58	Alfred Marchand	...	29 00	17 40	46 40
	gore 22	116	Nap. Paquette	...	50 00	30 00	80 00
7	n hf 16	100	Chris. Wylie	...	25 00	15 00	40 00
	w hf s hf 16	50	P. J. Fleming	...	25 00	15 00	40 00
	e hf s hf 16	50	Geo. Atkinson	...	25 00	15 00	40 00
	w hf n hf 17	50	J. B. Bordeaux	...	25 00	15 00	40 00
	w hf e hf n hf 17	25	Henry Honsberger	...	12 50	7 50	20 00
	e hf n hf 17	25	Thos. W. Atkinson	...	12 50	7 50	20 00
	w hf s hf 17	50	Thomas Hillman	...	25 00	15 00	40 00
	e hf s hf 17	50	George Hillman	...	25 00	15 00	40 00
	w qr n hf 18	25	Thos. W. Atkinson	...	12 50	7 50	20 00
	s pt n hf 18	40	Alex. A. Hillman	...	20 00	12 00	32 00
	n e pt 18	85	Thos. Atkinson	...	41 25	26 75	68 00
	e hf s hf 18	50	Thos. Atkinson	...	25 00	15 00	40 00
	w hf n hf 19	48	Enselie Thibadeau	...	12 00	7 20	19 20
	s w corn n hf 19	2	Annie McKeown	...	50	30	80
	e hf n hf 19	50	Hermine Cloutier	...	12 50	7 50	20 00
	n hf s hf 19	50	George McKeown	...	12 50	7 50	20 00
	s qr 19	50	Herbert Duteau	...	12 50	7 50	20 00
	w hf n hf 20	50	Wm. Dupras	...	12 50	7 50	20 00

e hf n hf 20	50	Camile Dupras	12 50	7 50	20 00
s hf 20	100	Antoine Thibert	25 00	15 00	40 00
w hf n hf 21	50	Alex Roi	12 50	7 50	20 00
e hf n hf 21	50	Pierre St. Denis, jr	12 50	7 50	20 00
w hf s hf 21	50	Xavier Yeille	12 50	7 50	20 00
e hf s hf 21	50	Narcisse Marchand	12 50	7 50	20 00
n qr n hf 22	25	Pierre St. Denis, sr	6 25	3 75	10 00
s hf n hf 22	50	Pierre St. Denis, sr	12 50	7 50	20 00
n pt s hf 22	40	Francis Phaneuf, sr	10 00	6 00	16 00
s pt n hf s hf 22	10	Thomas Phaneuf	2 50	1 50	4 00
s qr 22	50	Antoine Richard	12 50	7 50	20 00
s qr n hf 22	25	Nap. Paquette	6 25	3 75	10 00
w qr n hf 16	25	James Coulter	12 50	7 50	20 00
e hf w hf n hf 16	25	Camile Bourdeau	12 50	7 50	20 00
e hf n hf 16	50	Joseph Thibert	25 00	15 00	40 00
w hf s hf 16	50	Thos. Marchand	25 00	15 00	40 00
e hf s hf 16	50	Geo. Tisdale	25 00	15 00	40 00
e hf n hf 17	50	Austin Milliken	25 00	15 00	40 00
w qr n hf 17	25	George Hillman	12 50	7 50	20 00
e qr n hf 17	25	Thomas Hillman	12 50	7 50	20 00
s hf 17	100	Timothy Moynaham	50 00	30 00	80 00
n 3 n hf 18	75	Jos. Duquette	37 50	22 50	60 00
middle part 18	50	Isaac Brault	25 00	15 00	40 00
n hf s qr 18	25	Nap. Duquette	12 50	7 50	20 00
s hf n hf s hf 18	25	Camile Bourdeau, sr	12 50	7 50	20 00
s qr s hf 18	25	Joseph D. Duquette	12 50	7 50	20 00
n qr 19	50	Frank Marchand	12 50	7 50	20 00
n hf s hf n hf 19	25	Julien Marchand	6 25	3 75	10 00
middle part 19	50	Aug. Damphouse	25 00	15 00	40 00
s hf n hf s hf 19	25	Jos. Duquette	12 50	7 50	20 00
s qr 19	50	J. D. Duquette	25 00	15 00	40 00
w qr 20	50	Theo. Gabrieau	15 63	9 37	25 00
w hf n hf 20	50	Pierre Robert	15 63	9 37	25 00
e hf w hf 20	50	Camile Robert	12 50	7 50	20 00
e hf w hf 20	50	Wm. Gabrieau	12 50	7 50	20 00
w hf n hf 21	50	J. B. Blain	12 50	7 50	20 00
b hf s hf 21	50	Theo. Perisennault	12 50	7 50	20 00
e hf s hf 21	50	Camile Robert, jr	18 75	11 25	30 00

SCHEDULE. *Continued.*

Con. or Plan No.	Lot or part of lot.	Area of acres.	Owners' Names.	Value of benefit. \$ c.	Value of outlet liability. \$ c.	Value of injury liability. \$ c.	Total value of im- provement. \$ c.
8	w hf e hf n hf 21	25	Camile Robert, jr .....	..	9 38	5 62	15 00
	e qr n hf 21	25	Antoine Richard .....	..	9 38	5 62	15 00
	n hf 22	100	Jos. Tremblay .....	..	25 00	15 00	40 00
9	s hf 22	100	John Burgoyne .....	..	37 50	22 50	60 00
	w hf n hf 16	50	F. St. Denis .....	..	25 00	15 00	40 00
	e hf n hf 16	50	Jos. Duplessis .....	..	25 00	15 00	40 00
	s hf 16	100	Hugh Latimore .....	..	50 00	30 00	80 00
	n hf 17	100	John Warnock .....	..	50 00	30 00	80 00
	w hf s hf 17	50	John Donohue .....	..	25 00	15 00	40 00
	w hf e hf s hf 17	25	Abraham Giroux .....	..	12 50	7 50	20 00
	e qr s hf 17	25	F. Breault .....	..	12 50	7 50	20 00
	n pt 18	49½	Aug. Breault .....	..	24 66	14 79	39 45
	n qr s hf 18	25	F. X. Gauthier .....	..	12 50	7 50	20 00
	n hf s hf n hf 18	25	Narcisse Thibert, jr. ....	..	12 50	7 50	20 00
	s qr n hf 18	75	Samuel Regnier .....	..	37 50	22 50	60 00
	s ¾ s hf 18	100	Joseph Prottier .....	..	50 00	30 00	80 00
	n hf 19	100	Ozias Regnier .....	..	50 00	30 00	80 00
	s hf 19	50	Hyacinthe Montpetit .....	..	25 00	15 00	40 00
	w hf n hf 20	50	J. D. Duquette .....	..	25 00	15 00	40 00
	e hf n hf 20	20	Jos. Perissonneault .....	..	25 00	15 00	40 00
	w pt s hf 20	41	Narcisse Thibert .....	..	10 00	6 00	16 00
	w pt s hf 20	41	Henry Duquette .....	..	20 50	12 30	32 80
	w hf n hf 21	50	Antoine Blain .....	..	25 00	15 00	40 00
	e pt e hf n hf 21	25	Alfred Trudell .....	..	12 50	7 50	20 00
	w hf e hf n hf 21	20	Alfred Blain .....	..	10 00	6 00	16 00
	n e pt n hf 21	5	Alex. Cloutier .....	..	2 50	1 50	4 00
	s pt 21	30	Thaddeus Beno. ....	..	15 00	9 00	24 00
	n pt 22	53½	Julien Duquette .....	..	26 75	15 25	42 00

middle part

middle part 22	53½	J. Bte. Terrault.....	.....	26 75	15 25	42 00
s pt 22.....	23	Wm. Moffatt .....	.....	11 50	6 90	18 40
	15,492½	Total assessment on lands.	4,086 38	5,223 83	2,578 94	11,889 15
Road between B. F.	30	and 1st concession	72 00	.....	.....	72 00
Road between B. F.	30	1st and 2nd concessions	72 00	.....	.....	72 00
Road between B. F.	30	2nd and 3rd concessions	12 00	30 00	18 00	60 00
Road between B. F.	30	3rd and 4th concessions .....	.....	30 00	18 00	48 00
Road N. M. R. lots	30	.....	.....	30 00	18 00	48 00
Road Middle Road	20	.....	.....	20 00	12 00	32 00
Road S. M. R. lots	20	.....	.....	20 00	12 00	32 00
Road between	8	6th and 7th concessions .....	.....	8 00	4 80	12 80
Road between	20	7th and 8th concessions .....	.....	20 00	12 00	32 00
Road between	20	8th and 9th concessions .....	.....	20 00	12 00	32 00
Road between	12	9th and 10th con. on south	.....	12 00	7 10	19 20
T'nine between Romney.....	10	T'line, Tilbury W. pays half	.....	.....	.....	.....
	30	and Tilbury N., each pays half	.....	5 00	3 00	8 00
	65	12 and 13 side road .....	.....	30 00	18 00	48 00
	40	18 and 19 side road .....	.....	65 00	39 00	104 00
T'nine between Tilbury E....	15	and Tilbury N., Tilbury E.	.....	20 00	16 00	36 00
	45	paying quarter—\$12.00.	.....	.....	.....	.....
	30	Tecumseh road	35 00	.....	.....	35 00
		Canadian Pacific Railway .....	.....	25 00	20 00	45 00
		Michigan Central Railway .....	.....	14 00	10 00	24 00
Total acreage.....	15,957½		191 00	349 00	220 00	760 00
			4,086 38	5,223 83	2,578 94	11,889 15
		Total for benefit	4,277 38	5,572 83	2,798 94	12,649 15
		Total for outlet .....	.....	.....	.....	.....
		Total for injuring .....	.....	.....	.....	.....
		Total for bridges .....	.....	.....	.....	.....
		Total assessment	14,730 90	.....	.....	.....

SCHEDULE.—*Concluded.*

Sixth :—So far as this council has authority to enact, and subject to such alterations as may be made by the proper Court of Revision or on appeal therefrom to the Judge, for paying the sum of \$760, the amount assessed against the lands and roads of the municipality of Tilbury North, and the further sum of \$2,081.75, the proportion of the cost of bridges and culverts over the drainage works, payable by the municipality of Tilbury North, and for covering interest on the said sums of \$760.00 and \$2,081.75 for twenty years, at the rate of five per centum per annum, a special rate on the dollar sufficient to produce the required yearly amount therefore, shall, over and above all other rates, be levied and collected in the same manner and at the same time as taxes are levied and collected upon and from the whole rateable property in the said municipality of Tilbury North in each year for twenty years after the final passing of this by-law during which the said debentures have to run.

Seventh :—That the municipal councils of the Townships of Tilbury North, Tilbury East, Romney and Mersea shall provide for the sum of \$32,185.70.

That is :—

Tilbury North for.....	\$14,730 90
Tilbury East for.....	1,685 00
Romney for.....	7,748 20
And Mersea for.....	8,021 60

Making a total of.....\$32,185 70

as per report of the engineer as amended by the said referee, and each council shall pay the said sum to the treasurer of the Township of Tilbury West, within four months after the service of the report, plans, specifications, assessments and estimates of the engineer upon the head of such council.

Eighth :—That William Newman, James H. Ainsley, Thos. Dunmore, A. Damphouse and Camile Robert are hereby appointed Commissioners to let and superintend the contract or contracts for the construction of said works and the works connected therewith according to the said report, plans, specifications, and general conditions expressed in said report, or according to the directions of the said Wm. Newman, Engineer, and the said William Newman, C. E., is hereby further empowered to issue orders upon the treasurer of the municipality of Tilbury West for the payment of the construction of said works, such payments to be made according to the provisions of the engineer's report, and for these and all other duties of engineer on the said works the said William Newman shall receive a commission of three per cent. on the dollar, on the amount of the total estimate of the cost of the said works.

Ninth :—This by-law shall be published once in every week for four consecutive weeks in the *The Comber Herald*, a newspaper published in the Village of Comber, in the said Township of Tilbury West, and shall come into force upon and from the final passing thereof, and may be cited the "Big Creek and Branches By-law of 1897."

S. T. ANDERSON,
Clerk.

JAS. H. AINSLIE,
Reeve.

I hereby certify the foregoing to be a true copy of a by-law provisionally adopted by the municipal council of the Township of Tilbury West, the fifteenth day of March, A.D., 1897, and amended by said Council the 10th day of May, A.D., 1897.

S. T. ANDERSON,
Clerk of Tilbury West.

JAS. H. AINSLIE,
Reeve of Tilbury West.

NOTICE.

Notice is hereby given that a Court of Revision will be held at the Town Hall, at Comber, in said Township of Tilbury West, on Saturday, the 26th day of June, A.D., 1897, at the hour of 10 o'clock in the forenoon, for the hearing and trial of appeals made against the said above assessments, or any part thereof, in the manner prescribed by the Drainage Act, 1894. A notice of such appeal to be served on the clerk of Tilbury West at least ten days before the first sittings of said Court.

And further notice is hereby given that any one intending to apply to have such by-law, or any part thereof, quashed must, not later than ten days after the final passing thereof, serve a notice in writing upon the reeve, or other head officer, and upon the clerk of the municipality, of his intention to make application for that purpose to the High Court of Justice, at Toronto, during the six weeks next ensuing the final passing of this by-law.

Dated this first day of June, 1897.

S. T. ANDERSON,

Clerk of the municipality of Tilbury West.

I hereby certify that I have carefully compared the foregoing schedule with the original by-law of the township of Tilbury West of which it purports to be a copy, and that the same as now corrected and amended is a true and faithful copy of the said by-law.

Dated this 1st day of March, A.D. 1901.

J. MILTON PIKE,

Notary Public in and for the

Province of Ontario

CHAPTER 73.

An Act respecting the City of Toronto.

Assented to 15th April, 1901.

Preamble

WHEREAS the Municipal Corporation of the City of Toronto has by its petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas none of the by-laws mentioned in Schedule "A" have been moved against nor any proceedings taken to quash or set aside the same, nor have any objections been made to any of the said by-laws saving and excepting as to so much of by-law 3779 as relates to the assessment of a certain wooden sidewalk on College Street hereinafter referred to; and whereas saving as to such by-law no opposition has been offered to the confirmation of the said by-laws; and whereas with reference to the other matters referred to in the said petition and hereinafter dealt with no opposition has been offered; and whereas it is expedient to grant the prayer of the said petition, subject to the provisions hereinafter contained:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Technical
School
Building.

62 V. c. 85,
s. 2, amended.

1. Section 2 of the Act passed in the 62d year of the reign of Her late Majesty Queen Victoria, chaptered 85, is amended by inserting after the words: "For the erection of a new Technical School building or the purchase of lands therefor" the following words: "and for furnishing and equipping the same."

Validating
expenditure
in receiving
South African
troops.

2. All grants of money heretofore or which may hereafter be voted by the City Council and used in receiving and entertaining the members of the Canadian Forces who had been sent to South Africa for service during the South African War on their return therefrom, including decorations at the time of such reception, are hereby made and declared legal and valid.

3. The by-laws of the Corporation of the City of Toronto specified in Schedule "A" hereto, and all debentures issued or to be issued thereunder, and all assessments made or to be made for the payment thereof, are hereby validated and confirmed, except so much of by-law 3779 as relates to the assessment of a wooden sidewalk on College Street from Huron Street to the road leading to the Observatory, and numbered 52 in the schedule to the said by-law.

Validating
Debenture
By-Laws.

SCHEDULE A.

List of By-laws providing for the issue of debentures, passed by the council of the corporation of the City of Toronto, at the respective dates set opposite each, the particulars of which are set out below.

No. of By-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers	Periods of Payment.	Rate of Interest.
3779	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks constructed in the city of Toronto during the year 1899	March 5, 1900	\$ c.	\$ c.	\$ c.	3	
3780	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks laid down in the city of Toronto in the year 1899	"	1,827 90	465 12	1,362 78	3	
3781	Local improvement debentures to defray the ratepayers' share of the cost of certain cedar block pavements laid down in the year 1899	"	30,474 57	10,182 31	20,292 26	5	
3782	Asphalt roadway on Carlton street, between Sherbourne street and Parliament street	"	14,650 61	3,832 91	10,817 70	10	
3783	Asphalt roadway on Gifford street, between Spruce street and Carlton street	"	2,945 81	917 34	2,028 47	10	
3784	Asphalt roadway on Spruce street, between Parliament street and Sumach street	"	10,650 96	6,110 61	4,540 35	10	
3785	Asphalt roadway on Albert street, between Yonge street and James street	"	4,533 16	1,647 16	2,886 00	10	
3786	Asphalt roadway on Front street, between York street and Bay street	"	14,304 96	3,606 49	10,698 47	10	
3787	Asphalt roadway on James street, between Queen street and Albert street	"	6,048 23	4,221 23	1,827 00	10	
3788	Asphalt roadway on the first lane south of Front street, between Scott street and the eastern terminus of said lane	"	3,409 75	88 00	3,321 75	10	
3789	Asphalt roadway on Queen street, between Yonge street and John street	"					
3790	Asphalt roadway on Bedford road, between Lowther avenue and Bernard	"	35,164 66	16,533 10	18,631 56	10	

SCHEDULE A.—Continued.

Number of by-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers	Periods of Payment	Rate of Interest.
		March 5, 1900.	\$ c. 1,578 28	\$ c. 642 70	\$ c. 935 58	5	
3810	Macadam roadway on Spruce street, between Sunach street and River street						
3811	Macadam roadway on Sward street, between Gerrard street and Spruce street	"	911 18	238 34	672 84	5	
3812	Macadam roadway on Sunach street, between Gerrard street and Wellesley street	"	5,698 14	3 509 65	2,183 49	5	
3813	Macadam roadway on Front street, between Sherbourne street and Trinity street	"	5,960 47	1,581 67	4,378 80	3	
3814	Macadam roadway on Parliament street, between Queen street and Gerrard street	"	8,389 21	2,449 21	5,940 00	5	
3815	Macadam roadway on Sackville street, between Wellesley street and a point distant 256 feet northerly therefrom	"	724 30	377 02	347 28	5	
3816	Macadam roadway on Sackville street, between Winchester street and Wellesley street	"	3,328 14	1,223 31	2,104 83	5	
3817	Macadam roadway on Elm street, between Yonge street and University avenue	"	2,921 66	1,218 86	1,702 80	3	
3818	Macadam roadway on Gerrard street, between Yonge street and Jarvis street	"	3,559 92	1,648 31	1,911 61	5	
3819	Macadam roadway on Macpherson avenue, between Yonge street and a point 1,330 feet west thereof	"	3,182 89	307 97	2,874 92	5	
3820	Macadam roadway on Washington avenue, between Spadina avenue and Huron street	"	1,568 56	548 83	1,019 73	5	
3821	Macadam roadway on Langley avenue, between Broadview avenue and Logan avenue	"	2,996 82	279 25	2,717 57	5	
3822	Macadam roadway on Division street, between Huron street and Spadina avenue	"	1,396 16	342 16	1,054 00	5	
3823	Gravel roadway on Collahie street, between Beaconsfield avenue and Gladstone avenue	"	598 60	128 55	470 05	3	
3824	Tamarac roadway on Scott street, between Esplanade street and	"					

Front

	Front street								
3827	Asphalt roadway on Madison avenue, between Bloor street and Dupont street	March 19, 90	6,470 12	2,495 70	3,974 42	10			
3828	Asphalt roadway on Queen street, between Bathurst street and Niagara street	"	24,809 00	3,089 00	21,720 00	10			
3829	Brick roadway on Orford avenue, between Parliament street and a point distant 243 feet east thereof	"	18,365 48	5,083 60	13,281 88	10			
3830	Brick roadway on Orford avenue, between Clara street and a point distant 119 feet west thereof	"	1,344 17	360 17	984 00	10			
3831	Brick roadway on Bellevue place, between Bellevue avenue and Carlyle street	"	445 86	155 09	290 77	10			
3832	Brick roadway on Borden street, between Ulster street and College street	"	2,897 42	961 42	1,936 00	10			
3833	Brick roadway on Cameron place, between Cameron street and Vanaukey street	"	8,591 23	2,152 14	6,439 09	10			
3834	Brick roadway on Cameron street, between Queen street and Cambridge place	"	878 29	396 05	482 24	10			
3835	Brick roadway on Brookfield street, between Queen street and Humbert street	"	3,026 93	607 93	2,419 00	6			
3836	Brick roadway on Concord avenue, between Bloor street and a point distant 180 feet south of the south side of Hepbourne street	"	4,202 96	593 96	3,609 00	10			
3837	Brick roadway on Crawford street, between Bloor street and the northern terminus of Crawford street	"	4,650 00	1,183 00	3,467 00	10			
3838	Brick roadway on Grove avenue, between Foxley street and Dundas street	"	7,436 66	1,431 82	6,004 84	6			
3839	Macadam roadway on First avenue, between Broadview avenue and Logan avenue	"	4,681 55	1,589 21	3,092 34	10			
3840	Macadam roadway on Victor avenue, between Broadview avenue and Logan avenue	"	8,014 26	2,633 38	5,380 88	5			
3841	Macadam roadway on Wellesley street, between Parliament street and Sumach street	"	4,596 11	625 00	3,971 11	5			
3842	Macadam roadway on Elgin avenue, between Bedford road and Avenue road	"	3,871 12	934 12	2,937 00	5			
3843	Macadam roadway on Duferin street, between Dundas street and Lindsay avenue	"	3,291 96	542 20	2,749 76	5			
3844	Concrete sidewalk on the east side of Bleeker street, between Wellesley street and Howard street	"	5,206 12	1,385 12	3,821 00	5			
3845	Concrete sidewalk on the north side of Carlton street, between Ontario street and Bleeker street	"	1,242 32	163 92	1,078 40	10			
		"	327 47	64 62	262 85	10			

SCHEDULE A.—Continued.

No. of By-law.	Nature of Work under By-law.	When passed by Council.	Amount of Debt Created.	Amount to be borne by City.	Amount to be borne by Ratepayers.	Periods of Payments.	Rate of Interest.
3846	Concrete sidewalks on both sides of Homewood avenue, between Carlton street and Wellesley street	March 19, 1900	\$ c. 3,380 04	\$ c. 548 85	\$ c. 2,831 19	10	3½
3847	Concrete sidewalk on the east side of Jarvis street, between King street and the south limit of the Fred Victor Mission Building (except in front of No. 103.)	"	2,515 66	352 93	2,162 73	10	3½
3848	Concrete sidewalk on the south sides of Orford avenue, between Clara street and a point 119 feet west thereof	"	96 97	.....	96 97	10	3½
3849	Concrete sidewalks on both sides of Orford avenue, between Parliament street and a point distant 243 feet easterly therefrom	"	346 87	66 20	280 67	10	3½
3850	Concrete sidewalk on the south side of Wellesley Crescent, between Sherbourne street and the east limit of Thomas Long's property.	"	529 12	79 72	449 40	10	3½
3851	Concrete sidewalk on the east side of Sherbourne street, between Wilton avenue and Gerrard street, (except opposite Nos. 245, 247, 251, 263, 265, 267, 269, 271, 273, 275, 277 and 291)	"	446 55	.....	446 55	10	3½
3852	Concrete sidewalk on the south side of Queen street, between Yonge street and Sherbourne street (except certain portions thereof) ..	"	3,837 10	340 20	3,496 90	10	3½
3853	Concrete sidewalk on the south side of Adelaide street, between Bay street and York street (excepting opposite the lane west of Parisian Laundry)	"	2,218 95	390 50	1,828 45	10	3½
3854	Concrete sidewalk on the north side of Adelaide street, between Yonge street and the west end of the Freehold Building,	"	339 43	84 60	254 83	10	3½
3855	Concrete sidewalk on the west side of Bay street, between a point 144 feet 6 inches north of King street, and Queen street (except 105 feet 10 inches in front of Temple Building)	"	1,561 03	386 03	1,175 00	10	3½
3856	Concrete sidewalk on the south side of Front street, between a point distant 100 feet west of York street and a point 52 feet east of Simcoe street (except opposite the Union Station)	"	706 94	.....	706 94	10	3½
3857 street	Concrete sidewalk on the east side of James street, between Queen						

SCHEDULE A.—Continued.

No. of By-law.	Nature of Work under By-law.	When Passed by Council.	Amount of Debt Created.		Amount to be borne by City.		Amount to be borne by Ratepayers		Periods of Payment.	Rate of Interest
			\$	c.	\$	c.	\$	c.		
3875	Concrete sidewalk on the north side of Queen street, between the east limit of No. 674 and the west limit of No. 684	March 19, 1900	218	77	25	60	193	17	10	3½
3876	Concrete sidewalk on the north side of Queen street, between Gwynne avenue and a point distant 43 feet 6 inches east of O'Hara avenue	"	2,475	00	122	40	2,352	60	10	3½
3877	Granolithic sidewalk on the east side of Bathurst street, between St. Patrick street and Roseberry avenue	"	412	82	31	55	381	27	10	3½
3878	Brick sidewalk on the east side of Bay street, between Front street and Esplanade street	"	595	58	200	00	395	58	10	3½
3879	Brick sidewalk on the south side of Richmond street, between Victoria street and Yonge street	"	391	85	91	85	300	00	10	3½
3880	Brick sidewalk on the east side of Simcoe street, between Wellington street and a point distant 330 feet south	"	218	54	6	62	211	92	10	3½
3881	Brick sidewalk on the north side of College street, between Huron street and Spadina avenue	"	365	18	203	38	161	80	10	3½
3882	Local Improvement Debentures to defray the ratepayers' share of certain wooden sidewalks laid down during the year 1899	"	7,069	78	1,621	88	5,447	90	3	
3883	Asphalt Roadway on Spadina Avenue, between Knox College Crescent and Bloor street	"	27,582	18	11,254	83	16,327	35	10	3½
3884	Local improvement debentures to defray the ratepayers' share of the cost of certain cedar block pavements laid down during the year 1899	March 29, 1900	6,489	79	1,975	30	4,514	49	5	
3885	Local improvement debentures to defray the ratepayers share of the cost of certain sewers laid down in the year 1899	"	7,948	42	1,718	56	6,229	86	10	
3892	Consolidated loan debentures for aiding persons who suffered from the fire in the cities of Ottawa, Hull and vicinity	May 8, 1900	25,000	00	25,000	00	.....		10	3½
3893	Local improvement debentures to defray the ratepayers' share of the cost of certain sewers laid down in the year 1899	May 14, 1900	1,412	70	160	00	1,252	70	10	
3894	Local improvement debentures to defray the ratepayers' share of the cost of certain wooden sidewalks laid down in the year 1899	"	497	19	100	14	397	05	3	
3895	Sewer on Hickory street, between St. Patrick street and the north end of Hickory street	"	275	34	75	00	200	34	10	

Asphalt

3896	Asphalt roadway on Classic avenue, between Spadina avenue and Huron street.....	"	3,827 73	1,380 73	2,447 00	10	3½
3897	Asphalt roadway on Cowan avenue, between King street and Queen street.....	"	9,406 42	2,876 42	6,530 00	10	3½
3898	Brick roadway on Pearl street, between York street and Simcoe street.....	"	4,505 03	977 39	3,527 64	10	3½
3899	Macadam roadway on Pembroke street, between Shuter street and Wilton avenue.....	"	2,485 50	501 70	1,983 80	3	3½
3900	Macadam roadway on South Drive, between South Drive running south and Gl. 1 Road.....	"	1,938 12	973 12	965 00	5	3½
3901	Macadam roadway on Crescent Road, between Yonge street and Rosedale Road.....	"	4,078 72	1,080 70	2,998 02	5	3½
3902	Concrete sidewalk on the south side of Wilton Crescent, between the north limit of No. 7, and the south limit of No. 15.....	"	309 72	99 40	210 31	10	3½
3903	Concrete sidewalk on the east side of Church street, between King street and Front street.....	"	904 38	391 67	512 77	10	3½
3904	Concrete sidewalk on the east side of Bay street, between a point 50 feet north of Melinda street and a point 54 feet south of Melinda street.....	"	275 27	22 13	253 14	10	3½
3905	Concrete sidewalk on north side of Prince Arthur avenue, between St. George street and a point distant 198 feet west thereof.....	"	218 25	80 35	138 00	10	3½
3906	Brick sidewalks on both sides of Duncan street, between Queen street and Richmond street.....	"	275 14	143 18	231 96	10	3½
3907	General consolidated loan debentures for the erection of a new Technical School in the City of Toronto.....	June 18, 1900	75,000 00	75,000 00	.....	29	3½
3908	General consolidated loan debentures for aiding members of the Canadian forces sent to South Africa for service during the present South African War.....	"	25,000 00	25,000 00	.....	10	3½
3909	General consolidated loan debentures for the purpose of purchasing sites, erecting school houses or additions thereto for the Public Schools.....	"	172,200 00	172,200 00	.....	29	3½
3911	Macadam roadway on Grenville street, between Yonge street and Surrey Place.....	"	10,252 27	4,052 27	6,200 00	5	3½
3913	General consolidated loan debentures for completing the St. Lawrence Market Building.....	25, 1900	50,000 00	50,000 00	.....	29	3½
3914	Consolidating ratepayers' share of broken amounts named in certain Local improvement By-laws.....	July	421,936 11	.....	421,936 11	various	3½
3915	Consolidating City's proportion of the amounts named in certain Local Improvement By-laws.....	"	167,918 90	167,918 90	.....	various	3½

CHAPTER 74.

An Act respecting the Town of Wallaceburg.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Corporation of the Town of Wallaceburg has by its petition prayed for leave to aid in the construction of a sugar beet manufactory in the said town to the extent of \$30,000 by way of bonus or by taking stock in a company organized and incorporated for the said purpose under the name of The Wallaceburg Sugar Company, Limited, and also by way of remission of taxes upon such beet sugar manufactory and the necessary lands, machinery and plant therefor upon such terms as to the municipal council of the said corporation may seem advisable; and whereas since the presentation of the said petition the by-law set forth in the schedule to this Act has been submitted to the ratepayers of the said town and duly passed by the council of the said town, and of the ratepayers voting on the said by-law 335 voted for the said by-law and only seven voted against the same; and whereas in and by the said by-law provision is made for the construction, erection, equipment and development of a sugar factory for the manufacture of sugar from sugar beets capable of turning out twenty tons of sugar per day, such sugar factory to be of modern design and of substantial character, and to be fully and completely equipped with all necessary machinery for the manufacture of fully refined or standard refined sugar; and whereas it is further provided that the said factory shall be erected and put in operation within eighteen months from the date of the said by-law, and that in the construction, erection, equipment and development of the said works there shall be expended the sum of \$380,000, and that the said company shall carry on operations in connection with the said sugar factory for an average of at least one hundred working days in each year during the term of ten years, accidents and other circumstances beyond their control excepted; and whereas it has been made to appear that the said Town of Wallaceburg is situated in a section of the Province exceptionally favorable for the production of sugar beets and with unusual advantages and facilities for bringing the same to the factory from the surrounding country; and whereas the amount of the expenditure to be made on the said works and plant and equipment is very large in comparison with the amount of the bonus of \$30,000 authorized by the said by-law and the ratepayers appear

pear to be nearly unanimous in an earnest desire to assist in manner aforesaid in establishing the said industry; and whereas the requirements of the provisions of *The Municipal Act* have been fully complied with in all respects saving and excepting that the annual levy for principal and interest under the said by-law will with the payment of a similar bonus already granted by the said municipality exceed ten per cent. of the total annual municipal taxation of the said town; and whereas the establishment of the beet sugar industry in this Province is a matter of general public interest and importance and provision is being made for aiding and encouraging such industry by provincial subsidy in that behalf; and whereas the circumstances of the case are quite exceptional and no opposition has been offered to the said petition; and whereas it is expedient to confirm the said by-law subject to the terms and conditions hereinafter set forth;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Subject to the provisions hereinafter contained By-law No. 71 of the Municipal Corporation of the Town of Wallaceburg, set forth as Schedule "A" to this Act is hereby confirmed and declared legal, valid and binding upon the said municipal corporation and the ratepayers thereof notwithstanding any defect in substance or in form of the said by-law or in the manner of passing the same or otherwise, and the said Corporation of the Town of Wallaceburg is hereby authorized and empowered to issue debentures as provided by the said by-law and the said debentures so issued or to be issued under the said by-law are hereby declared legal and binding upon the said municipality and the said corporation is hereby authorized and empowered to do all necessary acts for the full and proper carrying out of the said by-law.

By-law No. 71 of the town of Wallaceburg confirmed.

2. Notwithstanding any provisions in the said by-law contained, The Wallaceburg Sugar Company, Limited, shall be liable to pay and shall pay to the Corporation of the Town of Wallaceburg taxes annually to an amount of not less than \$500 during the period of ten years from and after payment of the said bonus of \$30,000 to the said company and from and after the expiration of the said period of ten years the said company shall pay annually not less than \$2,000 by way of taxes on the property and plant of the said sugar factory.

Taxes to be paid by the Wallaceburg Sugar Co.

3. In the event of the said company failing to establish and operate the said factory according to the terms of the said by-law or the agreement to be entered into between the said company and the Corporation of the Town of Wallaceburg or in the event of the said company at any time during the said term of ten years discontinuing business or going into liquidation

The bonus to be repaid in certain events.

tion or failing to comply substantially with the terms of the said by-law and agreement, the said company shall, notwithstanding any provisions in the said by-law or agreement contained, repay to the said corporation the amount of the said bonus of \$30,000 and in any of such events the said amount shall become and is hereby declared to be a first charge in favour of the said corporation upon the property and assets of the said company.

SCHEDULE A.

BY-LAW No. 71.

A By-law for granting a bonus for the promotion of the establishment of Beet Sugar Manufacturing Works within the limits of the Corporation of the Town of Wallaceburg.

Whereas the said corporation have determined to grant by way of bonus the sum of \$30,000.00 to The Wallaceburg Sugar Company, Limited, hereafter to be incorporated under the Ontario Companies' Act, for the establishment of beet sugar manufacturing works within the limits of the Corporation of the Town of Wallaceburg, for the purpose of manufacturing sugar and similar products from sugar beets.

And whereas for the purpose aforesaid it will be necessary for the corporation of the said town to issue its debentures for, and to create a debt to the amount of \$30,000, as hereinafter mentioned, such debt and the debentures to be issued therefor, to be made payable in twenty years, at the farthest, from the day on which such debentures are issued.

And whereas it will require a certain specific sum of \$2,207.46 to be raised in each year during the said period of twenty years, which annual sum will be sufficient to discharge the several instalments of principal and interest accruing due on the said debt as the said instalments and interest become payable respectively according to the terms of this by-law.

And whereas the amount of the whole rateable property of the municipality of the Town of Wallaceburg, according to the last revised assessment roll was the sum of \$524,680.

And whereas the amount of the existing debenture debt of the said municipality of the Town of Wallaceburg is the sum of \$67,886.88 and no portion of the said principal or interest is in arrear.

And whereas the said, The Wallaceburg Sugar Company, Limited, hereinafter called the company, shall immediately after this by-law has received the assent of the ratepayers enter into an agreement with the said corporation of the Town of Wallaceburg to the following effect :—The company will cause to be constructed, erected, equipped and developed a sugar factory for the manufacture of sugar from sugar beets, capable of turning out twenty tons of sugar per day, such sugar factory to be of modern design and of substantial character and to be fully and completely equipped with all necessary machinery for the manufacture of fully refined or standard refined sugar, the said factory shall be erected and put in operation within eighteen months from the date hereof, upon the final completion of the said works as hereinafter provided there shall have been expended in the construction

construction, erection, equipment and development thereof the sum of \$380,000.00, the company covenant, promise and agree with the said municipal corporation that they will operate the said sugar factory as follows : That the company will carry on operations in connection with the said sugar factory for an average of at least one hundred working days in each year during the term of ten years hereinafter provided for, accidents and other circumstances beyond their control excepted ; that the company will operate the said sugar factory as provided in this section for ten years from the time they receive the said sum of \$30,000.00 as hereinafter provided, the said bonus shall be payable as follows : \$10,000.00 when all of the plant and materials are on the ground of the site of the said sugar factory, \$10,000.00 when the said factory is erected and completed, and the balance of \$10,000.00 when sugar is manufactured in the quantities as hereinbefore specified to be the minimum capacity of the said factory ; the said Municipal Corporation shall agree to place a fixed assessment of \$20,000.00 on the said sugar factory for a period of ten years from and after the payment of the bonus of \$30,000.00, such assessment shall be placed on all the property and plant of the Company used in the manufacture of beet sugar, the said fixed assessment of \$20,000.00 to apply only to the years in which the said Company operate the said factory, during the said period of ten years, and shall not include an assessment on other property acquired by the Company for residential purposes or for any other business purposes ; that they will not engage in or be connected with any business as merchants in the County of Kent but will themselves deal and encourage their men to deal with the merchants of the town of Wallaceburg ; that the Company will furnish the corporation with at least one hundred tons of cinders for road material if required by the corporation in each and every year during the said term of ten years. from and after two years from the date hereof ; the intention of the company is to work and operate the factory to the fullest extent the state of trade will permit, but to provide against disputes it shall be provided that should the company not fulfill the terms and conditions of the proposed agreement or be unwilling to continue the operation of the said factory as herein provided, they may give the corporation of the town of Wallaceburg one month's notice in writing of such intention, and at the end of such month their obligations under the proposed agreement shall cease and determine, in either of such cases the company shall refund to the said municipal corporation such sum as shall be found to be due, calculated on the following basis (which sum shall be an ascertained and liquidated amount in full of all claims and demands) namely, the sum of three thousand dollars for each and every year which remains of the period of ten years as hereinbefore provided from the time of the breach or giving of such notice, exclusive of the year in which such breach occurs or notice is given :

Be it therefore enacted by the corporation of the town of Wallaceburg, by the municipal council thereof, in council duly convened and assembled and it is hereby enacted :

1. That it shall be lawful for the Mayor of the said town of Wallaceburg to cause to be raised by way of loan from any person or persons or body or bodies corporate, who may be willing to advance the same upon the credit of the debentures hereinafter mentioned, a sum of money not exceeding in the whole the sum of \$30,000.00, and to cause the same to be paid into the hands of the treasurer of the said town for the purpose hereinbefore set forth.

2. That it shall be lawful for the said Mayor to issue debentures to the extent of \$30,000.00, which said debentures shall be sealed with the corporate seal of the said town and signed by the Mayor and countersigned by the treasurer of the said town.

3. That the said debentures shall be made payable at the office of the Bank of Montreal at the said town of Wallaceburg in each of the years next succeeding the issue of the said debentures, commencing with the year 1902, and one in each year thereafter for the next succeeding nineteen years, and shall have attached thereto coupons for the payment of interest thereon.

4. That the said debentures shall be dated on the day of the issue thereof as is hereinbefore provided and shall bear interest at the rate of four per centum per annum from the date of issue thereof, and such interest shall be payable yearly at the said office of the Bank of Montreal in each of the years next succeeding the issue of the said debentures.

5. That the sum of \$2,207.46 required as aforesaid to be raised, levied and collected, shall be so raised, levied and collected in each year during the currency of the said debentures by a special rate sufficient therefor on all the rateable property within the municipality of the said town.

6. That this by-law shall take effect on the first day of May, 1901.

7. That the votes of the qualified electors of the said Town of Wallaceburg shall be taken on this by-law by ballot, pursuant to the Municipal Act on Friday the fifteenth day of March A. D. 1901 from the hour of nine o'clock in the forenoon until the hour of five o'clock in the afternoon of the same day and at the places and by the Deputy Returning officers hereunder specified :—

For St. James' Ward—At Martin's shop on the corner of William and James Streets, Harry Martin, Deputy Returning Officer.

For St. George's Ward—At the Fire Hall, Duncan Street, H. E. Johnson, Deputy Returning Officer.

For St. Andrew's Ward—At the Town Hall. C. B. Jackson, Deputy Returning Officer

8. That the clerk of this municipality shall sum up the number of votes given for and against this by-law at the clerk's office on the sixteenth day of March A. D. 1901 at the hour of eleven o'clock in the forenoon.

9. That the mayor of the said town shall attend at the said clerk's office on the fourteenth day of March, 1901, at the hour of three o'clock in the afternoon to appoint persons to attend at the various polling places and at the final meeting, summing up of the votes by the said clerk respectively on behalf of the persons interested in and promoting or opposing the passage of this by-law respectively.

Finally passed after the assent of the ratepayers at the council chamber, of the Town of Wallaceburg, this third day of April, A. D. 1901.

CHAPTER 75.

An Act to incorporate the City of Woodstock, and
for other purposes.*Assented to 15th April, 1901.*

WHEREAS the Corporation of the Town of Woodstock has Preamble.
by its petition represented that the said town now contains about ten thousand souls, that the population is steadily increasing, and that by reason of such increase and its extensive railway facilities, its large manufacturing and mercantile interests, and its situation in the midst of a rich agricultural and dairying district the said town now is, and will continue to be, an important commercial centre; and whereas at the municipal elections held in the said town on the seventh day of January, 1901, the question of incorporating the said Town of Woodstock into a city, to be called the City of Woodstock, and its separation from the County of Oxford for municipal purposes was submitted to the electors of the said town and was carried by a large majority of the votes cast, nearly two-thirds of those voting being in favour thereof; and whereas, in the opinion of the Board of Trade of the said town, the manufacturers, and a large majority of the inhabitants of the said town, the incorporation thereof into a city will tend to materially increase its prosperity and importance; and whereas the Town of Woodstock now owns and operates a system of waterworks in the said town, and since the year 1892 the said waterworks have been managed by boards of commissioners elected under the provisions of *The Municipal Water-Works Act*; and whereas the said town has lately passed a by-law to purchase a lighting system now operated in the said town and the same has been acquired by the said town; and whereas for the purpose of the more efficient and economical management of said system the council of the said town is desirous of having the water, light and heat systems of the said corporation managed by joint commissioners; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. On and after the first day of July, 1901, next the Town of Woodstock shall be and is hereby incorporated as a city, and shall be known thereafter as "The Corporation of the Incorporation
of City of
Woodstock.

Rev. Stat.
c. 223.

the City of Woodstock," and as such shall enjoy and possess all the rights, powers and privileges of cities under *The Municipal Act*.

Rev. Stat.
c. 223.
Wards.

2. The City of Woodstock shall be divided as the Town of Woodstock has heretofore been divided into five wards, to be named respectively St. Andrew's ward, St. David's ward, St. George's ward, St. John's ward and St. Patrick's ward, and the boundaries or limits of the said wards respectively shall be and remain as they existed prior to the passing of this Act.

Council, how
constituted.
Proviso.

3. Subject to the provisions of section 14 of this Act the council of the said city shall consist of the mayor, who shall be the head thereof, and two aldermen for each ward thereof; provided nevertheless that the present mayor and council of the said town shall be and continue to be the mayor and council of the said city, and shall hold office until the election of their successors, as provided by this Act, and shall exercise all the rights and powers and perform all the duties pertaining to the offices of mayor and aldermen, respectively, of a city, and in the event of the death, resignation or disqualification of said mayor or any member of the said council, the vacancy so created shall be filled in the manner provided in *The Municipal Act*.

Rev. Stat.
c. 223.

Assets and
liabilities of
town to be the
assets and
liabilities of
the city.

4. The City of Woodstock shall in all matters whatsoever stand and be in the place and stead of the Town of Woodstock, and all property of every kind and all rights, interests, assets and effects, taxes, rates, dues, revenues, obligations and income now belonging to, or accruing due to, or which may be assessed for by the said town, shall pass, belong to and be the rights, property, assets, effects, taxes, revenues and obligations of the City of Woodstock; and in the assessment for, and collection of, all the aforesaid property and revenues of every kind the City of Woodstock shall have as full power in its name to assess for, demand, collect, and receive the same as the said town could have, and the said city shall assume and hereby assumes all bills, debts, debentures and liabilities of any and every kind now due, or contracted, or accruing due, or for which the said town but for the passing, of this Act would be liable, and the same shall and may be collected and sued for, from and against the City of Woodstock in precisely the same manner, except in the change of the name as against the Town of Woodstock; and all acts, matters and things whatsoever which might be lawfully done by the Town of Woodstock shall and may be done by the City of Woodstock, and all matters begun or initiated by the said town may be completed by the said city, the meaning and intention hereof being that in all matters and things the said city shall be and stand in the place of the said town.

5. The officers and servants of the said town shall, until superseded in or removed from office by the council of the said city, remain the officers and servants of the said city. Officers and servants of town, continued.
6. The provisions of *The Municipal Act* relating to matters consequent on the formation of new municipal corporations and the other provisions of *The Municipal Act* aforesaid shall, except so far as is herein otherwise provided, apply to the said corporation of the City of Woodstock in the same manner as if the said town had been erected into a city under the provisions of *The Municipal Act*. Application of Rev. Stat. c. 223.
7. At any election in the said city held prior to the first day of December, 1902, the qualifications of the electors, mayor, aldermen and commissioners shall be the same as required in towns. Qualifications of electors and officers.
8. John Morrison, of the Town of Woodstock, Esquire, who is now the clerk thereof, or in case of his death or inability to act, such other person as the council of the said city may by by-law to be passed before the last Monday in the month of December next appoint in his stead, is hereby appointed the returning officer for the purpose of holding the nomination meeting for the first election of mayor and commissioners, and it shall be the duty of the returning officer to hold such nomination at the City Hall in the City of Woodstock at the hour of ten o'clock in the forenoon of the said last Monday in the month of December. Returning officer for first election.
9. The said returning officer shall have all the powers and perform all the duties of the said clerk of the said city until the appointment by the council thereof of some other person in his place and stead. Clerk pro tem.
10. The council of the said city shall have power, by by-law to be passed before the said last Monday in the month of December, to appoint a deputy returning officer for each of the polling sub-divisions of the said city, each of whom shall have all the powers and perform all the duties of deputy returning officers in municipal elections for cities, and also by by-law to be passed within the time aforesaid to name the places in each of the several wards at which the nomination of aldermen and election of mayor, aldermen and commissioners shall be held in case a poll be required. Deputy returning officers--nominations in wards.
11. The nomination for aldermen shall be held on the last Monday in the month of December, at noon, and if a poll be demanded the same shall be opened on the same day of the following week, and the nomination and election of mayor, aldermen and commissioners shall, except in so far as is herein otherwise provided, be conducted and regulated in the same manner as such nominations and elections are conducted and regulated in municipal elections for cities. Aldermen, nominations, general provisions as to elections.

Assessment
roll and
voters' list.

12. The last revised assessment roll and the voters' list of the said town shall be taken to be the roll and voters' list for any future election to the municipal council of the said city until another assessment shall be made and the roll thereof shall be finally revised and the voters' lists thereunder shall be duly made and completed.

City to be
part of county
for judicial
purposes.

13. The City of Woodstock shall be, remain and form part of the County of Oxford for judicial purposes, as is provided for in respect of other cities by section 3 of Chapter 3 of the Revised Statutes of Ontario, 1897, and the said section 3 is hereby amended by adding below the figures and word "11 Stratford" the following: "12 Woodstock;" and sub-section 27 of section 1 of the said Chapter 3 is amended by striking out the figure and word "3 Woodstock" and by inserting before the words "The Towns of" the following words "The City of Woodstock."

Council, how
constituted
after popula-
tion exceeds
15,000.

14. Whenever it shall be ascertained by any general census, or by any census which may be taken by the assessor, or under a by-law of the municipality, that the said city contains over 15,000 inhabitants, then at the next annual municipal election held thereafter, and at each subsequent annual municipal election, three aldermen shall be elected for each ward of the said city, and the council of the said city shall thereafter consist of a mayor, and of three aldermen for every ward as provided by section 70 of *The Municipal Act*.

Police magis-
trate's salary.

15. The police magistrate of the City of Woodstock shall not receive a salary exceeding \$1,200 until it shall appear, in the manner aforesaid, that the said city contains over 15,000 inhabitants.

Water, light
and heat Com-
missioners.

16. The Council of the Town of Woodstock or of the City of Woodstock shall pass a by-law on or before the last Monday in the month of December next, to which the assent of the electors of said municipality shall not be necessary, to constitute a board of five commissioners of whom the mayor shall *ex-officio* be one, to jointly manage the water, light and heat works now owned or hereafter to be acquired by the said municipality, and all the provisions of *The Municipal Light and Heat Act* and *The Municipal Water Works Act* shall apply to the said board of commissioners, except as is herein otherwise provided.

Rev. Stat.
c. 234.
Rev. Stat.
c. 235.

Commission-
ers' election,
and term of
office.

17. If the council of the said municipality pass the said by-law and an election takes place thereunder to elect such commissioners before the last Monday in the month of December, 1901, it shall only be necessary to elect two commissioners, who shall hold office until the last day of December, 1902, or until their successors are elected, and the present water commissioners of the said corporation shall be the other commissioners under

under the said by law, but they shall only hold office until the last day of December, 1901, or until their successors are elected and two commissioners shall be elected at the municipal elections for 1902 and annually thereafter, who shall hold office for two years, the nomination and election for said commissioners after the first election to be held at the same time and in the same manner as the election for mayor.

18. In case a by-law shall have been passed under section 17 of this Act to constitute a board of commissioners and no election shall have taken place prior to the last Monday in the month of December, 1901, nominations for the election of four commissioners shall be held on the said last Monday in the month of December at the hour of ten o'clock in the forenoon, and if a poll be demanded the same shall be opened on the corresponding day of the following week and the nomination and election of said commissioners shall, except in so far as is herein otherwise provided for, be conducted and regulated in the same manner as nominations and elections for mayor are conducted and regulated in cities, the two commissioners polling the highest number of votes, or in case of an equality of votes or an election by acclamation, the two commissioners having the highest assessment in said city, shall hold office for two years and the remaining two commissioners elected shall hold office for one year, and at the annual municipal election to be held after said first election two commissioners shall be elected to hold office for two years, provided that when a vacancy from any cause occurs on the board the same shall be filled in manner mentioned in section 41 of *The Municipal Water Works Act*. First election of commissioners.
Rev. Stat c. 235.

19. The returning officer for the first election of commissioners shall be the clerk for the time being of the said municipality or such other person as the said council may by by-law appoint in his stead, and the times and places of holding the nomination meeting and election for said commissioners shall be fixed by by-law of the said city council. Returning officers at first election of commissioners.

20. The council of the said municipality may from time to time by by-law, assented to by the electors of said municipality, reduce or increase the number of said commissioners or repeal or re-enact the provisions of such last mentioned by-law to appoint commissioners according to the provisions of *The Municipal Light and Heat Act* and *The Municipal Water Works Act*. Reducing or increasing number of commissioners.

CHAPTER 76.

An Act to confirm By-law No. 839 of the County of York.

Assented to 15th April, 1901.

Preamble.

WHEREAS, under the provisions of By-law No. 712 of the Council of the Corporation of the County of York, certain toll roads belonging to the said corporation were abandoned and the ownership therein was transferred to certain minor municipalities in the said county; and whereas the Lieutenant Governor in Council by an Order in Council assented to the said by-law; and whereas, by the provisions of section 2 of the said by-law, it was enacted that all bridges then existing upon any roads mentioned in the said by-law should remain the property of, and be maintained by the Corporation of the County of York in the same manner, and to the same extent, as the other county bridges within the said county; and whereas doubts have arisen as to the meaning of the words "all bridges" and in order to remove such doubts the council of the said Corporation of the County of York did, on the 24th day of January, 1901, pass By-law No. 839 of the said corporation, intituled, "A By-law respecting the Bridges on the York Roads,"

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

By-law
No. 839
confirmed.

1. By-law No. 839 of the Council of the Corporation of the County of York hereinbefore recited, passed on the 24th of January, 1901, intituled, "A By-law respecting the Bridges on the York Roads," which by-law is set forth in Schedule A to this Act, is hereby legalized, confirmed, and declared valid.

County not
relieved from
liability.

2. This Act shall not be considered to relieve the corporation of the County of York from any liability to build, maintain, or keep in repair any bridges within the County of York which, under the general provisions of *The Municipal Act*, are county bridges, and which, irrespective of the said hereinbefore mentioned by-law, the said corporation is bound to keep in repair.

Rev. Stat.
c. 223.

SCHEDULE A.

BY-LAW NUMBER 839.

A BY-LAW RESPECTING THE BRIDGES ON THE YORK ROADS.

Whereas it was provided by Section II. of By-law Number 712 that all bridges then existing upon any of the roads referred to in the said By-law should remain the property of and be maintained by the Municipal Corporation of the County of York.

And whereas doubts have arisen as to the meaning of the words "all bridges" and it is desirable that such doubts should be removed, therefore the council of the corporation of the County of York enacts as follows :—

1. All bridges set forth in the schedule hereunto annexed and marked "A" shall remain the property and be maintained by the Municipal Corporation of the County of York in the same manner and to the same extent as other county bridges within the said county and the bridges referred to and mentioned in the said Schedule "A" shall be the only bridges upon the roads mentioned in the said schedule which shall be county bridges within the meaning of the said Section II of the said By-law Number 712.

SCHEDULE A TO BY-LAW.

YONGE STREET.

No.	Name.	Location.	Dimensions.	Material.	Cost.
2	Culvert	Cemetery Hollow, Mount Pleasant	10x7x66 ft	Field-stone abutments and wings, arch	13,659 34
4	York Mills	York Mills	100x 20	Quarry stone abutments, steel bridge, wooden floor ..	
13	Culvert	In Newtonbrook	7x10x40	Stone arch	
28	Bridge	Thornhill Hollow	43x20x16	Field-stone abutments and wings, wood-iron combination ..	
29	Culvert	Queen's Hotel, Thornhill	5½x6x42	Field-stone arch	
33	Elgin Mills Bridge	Elgin Mills	4x10x57	Field-stone masonry, pine top	
41	Curtis Bridge	North Curtis Hotel	6x9x30	Field-stone masonry, oak top	
49	Tannery Bridge	Daville tannery	10x12x23	Masonry walls, pine top	
53	Bridge	Near slaughter house, Aurora ..	24x76	Field-stone abutments, pine top	
54	"	Opposite Machell farm	16x24	Field-stone abutments, pine top	
61	"	Clubine farm	86x34x16	Mason, iron cords, pine top	
63	"	North Ind home	8x12x35	Cedar Pile abutments, cedar top	
73	Holland Landing	Holland Landing	16x61	Steel top, pile abutments	
74	Bridge	Just north of last	13½x17	Piles, cedar pine top	
75	Bradford	South of Bradford	20x402	Cedar piles, cedar tops	

KINGSTON ROAD.

28	Culvert	At Helliwell's Race	4½x8½x50	Cedar sides and top	7,873 82
29	Highland Creek	Highland Creek	16x10x30 h.	Steel, quarry stone abutment	
33	Culvert	Opp. Lot 3, Con. 1	4x6x42	Cedar sides and top	

DUNDAS STREET.

1	Lambton	Lambton Mills	18x111x24	River stone abutment, centre pier, wood top	
2	Islington	Over Mimico Creek	18x58½x16	Quarry stone abutment, wood top	

CHAPTER 77.

An Act to incorporate The Chippawa and Niagara Falls Electric Railway Company.

Assented to 15th April, 1901.

WHEREAS Edwy Baxter, of the Village of Fort Erie, in Preamble
the County of Welland, merchant; Marc W. Comstock,
of the City of Buffalo, in the State of New York, counsellor-at-
law; Edward E. Tanner, of the said City of Buffalo, counsellor-
at-law; W. H. Davis, and Henry B. Zimmerman, both of the
said City of Buffalo, gentlemen; Banker R. Paine, of the Vil-
lage of Niagara Falls, in the County of Welland, real estate
agent, and Thomas C. Frenyear, of the said City of Buffalo,
electrician, have by their petition prayed for an Act of incor-
poration under the name of "The Chippawa and Niagara Falls
Electric Railway Company," for the purpose of constructing
and operating an electric railway from some point in the Vil-
lage of Chippawa, in the County of Welland, passing through
the said Village of Chippawa, the Township of Stamford, and the
Village of Niagara Falls, to some point in the Town of Niagara
Falls, in the County of Welland, and whereas it is expedient
to grant the prayer of the said petition:—

Therefore His Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Edwy Baxter, of the Village of Fort Erie, in the County Incorporation.
of Welland; Marc W. Comstock, Edward E. Tanner, W. H.
Davis, Henry B. Zimmerman, and Thomas C. Frenyear, all of
the City of Buffalo, in the State of New York, and Banker R.
Paine, of the Village of Niagara Falls, in the County of Wel-
land, and such other persons and corporations as shall hereafter
become shareholders in the said company, are hereby con-
stituted a body corporate and politic, under the name of "The
Chippawa and Niagara Falls Electric Railway Company."

2. The said company is hereby authorized and empow- Location of
line.
ered to survey, lay out, construct, complete, alter and keep in
repair a double or single track railway, with iron or steel rails,
to be operated by electricity from some point in the village of
Chippawa, in the County of Welland, passing through the
said Village of Chippawa, the Township of Stamford, and the
Village of Niagara Falls to some point in the Town of Niagara
Falls, in the said County of Welland and the said railway or
any

Rev. Stat.,
c. 209.

Rev. Stat.,
c. 223.

Agreements
for connec-
tions and
running
arrangements.

any part thereof may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in *The Electric Railway Act* contained, and under and subject to any agreements made or hereafter to be made between the said company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the said company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in *The Electric Railway Act* and in *The Municipal Act*, and any Act or Acts amending the same.

3. The said company shall have power to agree for connections and making running arrangements with The Niagara Falls Park and River Railway Company, if lawfully empowered to enter into such agreement upon terms to be approved by two thirds in value of the shareholders at a special general meeting to be held for that purpose; and it shall also be lawful for the said company hereby incorporated to enter into any agreement or agreements with the said company, if lawfully authorized to enter into any such agreement for the sale or leasing or hiring of any portion of the railway herein authorized, or the use thereof, or for the sale or leasing or hiring any motors, carriages or cars, or any of them, or any part thereof, or touching any service to be rendered by the one company to the other and the compensation therefor, if the arrangements and agreements shall be approved of by two thirds in value of the shareholders voting in person or by proxy, at a special general meeting to be called for that purpose; and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such agreement for using the said railway may and is hereby authorized to work the said railway in the same manner as if incorporated with its own line, subject to the provisions of any by-law or by-laws of any municipality or municipalities, which may from time to time be in force, so far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act, provided that electric power only shall be used in operating any portion of the said railway, or any section or branch thereof, provided also that no such agreement for connections, running arrangements, sale, leasing or hiring of the said railway, or any portion thereof shall be entered into by the said company unless and until the consent of the corporation of the municipality or municipalities having jurisdiction in that respect has first been obtained thereto; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

4. The said Edwy Baxter, Marc W. Comstock, Edward E. Provisional
Tanner, W. H. Davis, Henry B. Zimmerman, Banker R. Paine directors.
and Thomas C. Frenyear, with power to add to their number,
shall be and are hereby constituted a board of provisional
directors of the said company, and shall hold office as such
until other directors shall be appointed under the provisions of
this Act by the shareholders.

5. All meetings of the provisional board of directors of the Meetings of
said company shall be held in the Village of Niagara Falls, in Provisional
the County of Welland, or at such other place as may best suit directors.
the interests of the said company.

6. The capital stock of the company hereby incorporated Capital stock.
shall be \$100,000, to be divided into 1,000 shares of \$100
each.

7. The board of directors of the said company shall consist Directors
of not less than five and not more than nine persons who shall
be elected in the manner and possess the qualifications pre-
scribed by *The Electric Railway Act*. Rev. stat. c.
209.

8. The head office of the said company shall be at the Head office.
Village of Fort Erie.

9. The several clauses of *The Electric Railway Act*, Application
and of every Act in amendment thereof shall be incorporated of Rev. Stat.
with and be deemed to be part of this Act, and shall apply to c.209.
the company, and to the railway to be constructed by them,
except only so far as they may be inconsistent with the express
enactments hereof, and the expression "this Act" when used
herein, shall be understood to include the clauses of the said
Electric Railway Act, and of every Act in amendment thereof
so incorporated with this Act.

CHAPTER 78.

An Act to incorporate The Essex and Kent Radial Railway Company.

Assented to 15th April, 1901.

Preamble.

WHEREAS George Stephens of the City of Chatham in the County of Kent, Merchant, William Hickey, of the Township of Tilbury East in the County of Kent, Farmer; Joseph Gosnell of the Township of Orford, in the County of Kent, Farmer; Francis Rankin of the Township of Dover, in the said county, Farmer; William Simpson of the Town of Leamington, in the County of Essex, Carpenter; Alexander Baird of the said Town of Leamington, Ontario Land Surveyor; John McRobbie Selkirk of the said Town of Leamington, Esquire, and Robert Franklin Sutherland, of the City of Windsor, in the County of Essex, Esquire, have by their petition prayed for an Act of incorporation under the name of "The Essex and Kent Radial Railway Company," for the purpose of constructing and operating an electric railway from a point in or near the City of Windsor, in the County of Essex, through the Townships of Sandwich East and Sandwich South to Maidstone Cross, thence through part of the Township of Sandwich South, the Townships of Maidstone, Rochester, Tilbury West and Tilbury North, in said County of Essex, the Townships of Tilbury East and Raleigh in the County of Kent, to Charing Cross and from thence to the City of Chatham, in said County of Kent, with branch lines from Maidstone Cross running through part of the Township of Maidstone, the Town of Essex, part of the Township of Colchester North, the Townships of Gosfield North and Gosfield South, the Town of Leamington, the Township of Mersea, and to the unincorporated Village of Wheatley, and from Charing Cross aforesaid near or along the township line between the Townships of Raleigh and Harwich to Cedar Springs, and thence to the Town of Blenheim and a spur or branch line into the Village of Tilbury along or near Queen street and with power to construct, maintain and operate telephone and telegraph lines in connection with said railway and confer upon the company all the powers of *The Electric Railway Act*; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The said George Stephens, William Hickey, Joseph Gosnell, Francis Rankin, William Simpson, Alexander Baird, John McRobbie Selkirk and Robert Franklin Sutherland and such other persons, firms and corporations as shall hereafter become shareholders of the said company are hereby constituted a body corporate and politic under the name of "The Essex and Kent Radial Railway Company." Incorporation.

2. The said company is hereby authorized and empowered to survey, lay out, construct, equip, maintain and operate by electricity and from time to time to remove and change a double or single track, iron or steel railway of the gauge of four feet eight and one-half inches with one or more branch or branches and with all necessary side tracks and turn outs for the passage of cars, carriages and other vehicles adapted to the same from a point in or near the City of Windsor through the Townships of Sandwich East and Sandwich South to Maidstone Cross; thence through part of the Township of Sandwich South, the Townships of Maidstone, Rochester, Tilbury West and Tilbury North in said County of Essex the Townships of Tilbury East and Raleigh in the County of Kent to Charing Cross and from thence to the City of Chatham in said County of Kent with branch lines from Maidstone Cross running through part of the Township of Maidstone, the Town of Essex, part of the Township of Colchester North, the Townships of Gosfield North and Gosfield South, the Town of Leamington, the Township of Mersea and to the unincorporated Village of Wheatley, and from Charing Cross aforesaid near or along the township line between the Townships of Raleigh and Harwich to Cedar Springs and thence to the Town of Blenheim, and a spur or branch line into the Village of Tilbury along or near Queen street with power to build any part or branch of said railway in sections and the said railway or any part thereof may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein, and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in the *Municipal Act* and any Act or Acts amending the same. Location of line.

3. The said company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of its course and direction, and of the lands intended to be passed over and taken therefor, so far as then ascertained, Construction of railway sections.

Rev. Stat.
c. 209.

ascertained, and also a statement in accordance with the provisions of section 27 of *The Electric Railway Act*, and to deposit the same, as required by the clauses of the said *Electric Railway Act*, and amendments thereto, with respect to "plans and surveys," by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit, so that no one of such sections or portions shall be less than ten miles in length; and upon such deposit as aforesaid of the map or plan and statement of any and each of such sections or portions of the said railway all and every of the clauses of the said *Electric Railway Act*, and the amendments thereof, applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of its whole course and direction and of the lands intended to be passed over and taken and the statement of the whole of said railway had been taken, made, examined, certified and deposited according to the said clauses of the said *Electric Railway Act*, and the amendments thereof, with respect to "plans and surveys."

Provisional
directors.

4. George Stephens, William Hickey, Joseph Gosnell, Francis Rankin, William Simpson, John McRobbie Selkirk, Alexander Baird, and Robert F. Sutherland shall be and are hereby constituted a board of provisional directors of the said Company of whom a majority shall be a quorum and shall hold office as such until other directors shall be appointed under the provisions of *The Electric Railway Act*.

Rev. Stat.
c. 209.

Number of
directors.

5. The number of directors shall not be less than five nor more than nine.

Head office.

6. The head office of the company shall be at the City of Windsor, aforesaid.

Capital stock.

7. The capital stock of the company shall be \$500,000, to be divided into shares of \$100 each.

Date of annual
meeting.

8. The date of the annual meeting shall be fixed by the by-laws of the company.

Payments in
paid up stock
or bonds.

9. The provisional or elected directors may pay or agree to pay in paid up stock or in the bonds of the company such sums as they may deem expedient to engineers or contractors or for the right of way or material plant or rolling stock and also when sanctioned by a vote of the shareholders at any general meeting for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors in furthering the undertaking or for the purchase
of

of right of way, material, plant or rolling stock whether such promoters or other persons be provisional or elected directors or not and any agreement so made shall be binding on the company.

10. The company may make special rates for the carriage of fruit, milk and other perishable products and commodities. Special rates for certain products.

11. The several clauses of *The Electric Railway Act* and of every Act in amendment thereof shall be incorporated with and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof, and the expression "this Act," when used herein, shall be understood to include the clauses of the said *Electric Railway Act* and every Act in amendment thereof so incorporated with this Act. Rev. Stat. c. 209, incorporated.

12. The railway shall be commenced within six months and completed to the extent of a through connection to the City of Chatham and Town of Leamington aforesaid within eighteen months, and completely built and in operation within two years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete. Time for commencement and completion of line.

CHAPTER 79.

An Act respecting the Guelph Railway Company.

Assented to 15th April, 1901.

WHEREAS the Guelph Railway Company have by their Preamble.
Petition represented that they have, in pursuance of the Act of the Legislature of Ontario passed in the 58th year of the reign of Her Late Majesty Queen Victoria, Chapter 98, constructed an electric railway in the City of Guelph and have extended the same along what is known as the Waterloo Road in the said City to the boundary of Guelph Township and in the direction of the Town of Hespeler, and they have by their petition prayed that an Act may be passed to amend

the said Act by extending the powers of the said Company to enable them to continue their said railway from some point thereon on the said Waterloo Road, Guelph, through the Townships of Guelph and Puslinch in the County of Wellington and the Township of Waterloo in the County of Waterloo to the Town of Hespeler in such last mentioned county and through the said town, with power also to further extend their road from Hespeler to Puslinch Lake and from Puslinch Lake as a loop line back through the Township of Puslinch to a point on the direct line to Hespeler, and for other purposes; and the said Company have further prayed that their powers may be further extended to enable them to extend their said railway from the City of Guelph through the said Townships of Guelph and Waterloo to the Town of Berlin in the County of Waterloo; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Extension to
Hespeler
authorized.

1. The said Company is hereby authorized and empowered to extend, construct and operate the said railway by electric or other power other than steam outside the limits of the said City of Guelph from some point on the Waterloo Road in the City of Guelph or the Township of Guelph through the Townships of Guelph and Puslinch in the County of Wellington and the Township of Waterloo in the County of Waterloo to and through the Town of Hespeler, in the said County of Waterloo, and thence from some point therein to or near Puslinch Lake in the said Township of Puslinch, and thence northwesterly through such Township or Townships to a point on the direct line to Hespeler so as to form a loop line with the extension to Hespeler, which extension may be known as the Hespeler extension of the said railway.

Extension
to Berlin
authorized.

2. The said Company is hereby further authorized and empowered to extend, construct and operate the said railway as aforesaid outside the said City of Guelph from some point therein through the Townships of Guelph and Waterloo to and through the Town of Berlin, which last mentioned extension may be known as the Berlin extension of the said railway.

Rev. Stat. c.
209 to apply
to company.

3. The provisions of *The Electric Railway Act* except section 52 thereof shall be incorporated with and be deemed to be part of this Act, and shall apply to the extensions of the said railway to be constructed as hereby authorized.

4. The capital stock of the Company shall be increased by \$200,000, in addition to the present capital stock.

5. Nothing herein contained shall affect the provisions of the Agreement set forth as Schedule "A" to the said Chapter 98. Agreement with city not affected.

6. Any bonds or securities heretofore issued by the said Company shall continue to be charged on the portion of the said Railway Company's property upon which the same are now charged. Bonds heretofore issued.

7. The Company may, under the provisions of the borrowing powers of *The Electric Railway Act*, for the purpose of giving security by way of mortgage or otherwise, and in exercise of such borrowing powers, treat each of the extensions hereby authorized as a separate railway, and such securities may be charged thereupon accordingly. Extension may be treated as a separate railway for borrowing purposes.

CHAPTER 80.

An Act to amend the Act incorporating the Hamilton, Grimsby and Beamsville Electric Railway Company.

Assented to 15th April, 1901.

WHEREAS the Hamilton, Grimsby and Beamsville Electric Railway Company hereinafter called "the Company" has by petition represented that the company has constructed a railway from the City of Hamilton to the Village of Beamsville and are now operating the same; that the capital stock of the Company is \$400,000 of which \$153,700 has been subscribed for, issued and fully paid up and that the amount of bonds authorized is \$230,000 of which \$85,000 have been issued and disposed of, and have prayed for power to extend their line of railway from its present terminus in the Village of Beamsville to a point in or near the City of St. Catharines, and to further extend the same to a point in or near Niagara-on-the-Lake, and to further extend the same to a point in or near the Town of Niagara Falls with power to construct, equip, maintain and operate the said extension in the same manner as their present line of railway is operated, that their powers to issue bonds be increased, and for other powers; and whereas it is expedient to grant the prayer of the said petition. Preamble.

Therefore,

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Extension of line to St. Catharines, to Niagara Falls and Niagara-on-the-Lake.

Proviso.

1. The Company is hereby authorized and empowered to construct, equip, maintain and operate an extension of its existing line of railway from a point at or near its present terminus in the Village of Beamsville through the Townships of Clinton, Louth and Grantham to a point in or near the City of St. Catharines, and to extend the same from a point in or near the said City of St. Catharines through the Townships of Grantham and Niagara to a point in or near Niagara-on-the-Lake, and to further extend the same from a point in or near the said City of St. Catharines through the Townships of Grantham, Niagara, Thorold and Stamford to a point in or near the Town of Niagara Falls, with single or double track, and with all necessary branches, side tracks and turn outs for the passage of cars, carriages and other vehicles: Provided that the said railway may be carried along and upon such streets and highways as may be authorized by by-laws of the respective corporations having jurisdiction over the same and subject to any agreements hereafter to be made between the Council of any of said corporations and the Company; and the Company may take, transport and carry passengers, freight, express, mail or other matter upon the same, and construct and maintain all necessary works, buildings, appliances and conveniences connected therewith; and the Company may make and enter into any agreement with any municipality, council or road company as to the terms of occupancy of any street or highway.

Powers of Company with regard to extension.

2. Subject to the provisions of this Act the Company shall have and enjoy and be entitled to all the rights, powers, privileges and advantages of every nature and kind whether had under their Act of Incorporation or otherwise with reference to all matters necessary for the construction, equipment, maintenance and operation of the said extension in as full and ample a manner as if said extension had been a part of the original undertaking of the Company.

Provisions as to original line to apply.

3. All persons, firms or corporations given rights, powers, privileges or advantages under the said Act of Incorporation of the Company are entitled to the same rights, privileges and advantages and to exercise the same powers with reference to said extension.

Powers of municipalities.

4. All municipalities in which the railway of the Company is now situated or through which the said extension is to be constructed, or which may be benefited thereby shall have and enjoy all the rights and powers conferred upon municipalities by the said Act of Incorporation of the Company subject to the conditions therein contained.

5. The directors of the Company shall have power to issue Bonds. bonds of the Company for the purpose of raising money for prosecuting the said extension which bonds shall be a first charge upon the said extension to be made hereunder and upon all franchises, lands, buildings, material, plant and assets obtained for or used in connection with the said extension and be also a charge upon the present franchises, lands, buildings, material, plant and assets of the Company, subject to a charge now existing thereon of \$85,000 represented by bonds of the Company; provided that the whole amount of the new issue of bonds when added to the amount of \$85,000 of bonds already issued shall not exceed in all the sum of \$10,000 for each mile of said railway and extension, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario*, shall apply to all such bonds and the issue thereof and such bonds shall be issued subject and according to and in conformity with the provisions of said sub-sections.

6. The extensions shall be commenced within two years and completed within five years from the passing of this Act.

Time for commencement and completion of line.

7. Section 136 of *The Electric Railway Act* shall apply to the operation of the extension of the line of the said company authorized by this Act, but save as aforesaid *The Electric Railway Act* shall not apply to the company or to the construction, equipment, maintenance or operation of the said extension.

Rev. Stat. c. 209, s. 136, to apply.

8. The said company shall not run or operate freight cars or trains over the said extension so far as the same is carried along any public highway unless and until the consent of the corporation controlling such highway shall have been first obtained, nor until the size and number of cars and motors to be used, and the hours of running the same have been first approved by the Commissioner of Public Works of the Province of Ontario.

Carriage of freight on highways.

CHAPTER 81.

An Act respecting The Irondale, Bancroft and Ottawa Railway Company.

Assented to 15th April, 1901

WHEREAS The Irondale, Bancroft and Ottawa Railway Company have by their petition prayed that an Act may be passed extending the time for completion of the Company's

Preamble.

pany's railway, and for other purposes; and whereas it is expedient to grant the prayer of the said petition :

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Extension of
time for
completion
of line.

1. The time for the building and completion of the said company's line of railway is hereby extended to the first day of June, 1906; and this provision shall relate back to and take effect from and inclusive of the first day of January, 1901.

Agreements
with other
companies

2. The company is authorized and empowered to make the necessary arrangements and to contract and agree with the Grand Trunk Railway Company of Canada, the Toronto, Lindsay and Pembroke Railway Company, the Pembroke Southern Railway Company and the Canada Atlantic Railway Company, or either or any of them, if lawfully authorized to enter into such arrangements, for the amalgamation of the companies; provided that the terms of such amalgamation are approved of by two-thirds in value of the shareholders voting in person or represented by proxy at a special general meeting to be called for considering the same; but nothing herein contained shall be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Proviso.

Rights of
creditors not
to be affected.

3. No agreement entered into under the provisions of this Act shall prejudice or affect the rights of creditors or persons having claims against or contracts with the said company.

Agreement to
be filed in
office of Pro-
vincial Secre-
tary.

4. A duplicate of the amalgamation agreement duly executed by the company, parties thereto, shall within three months after its execution be filed in the office of the Provincial Secretary and notice thereof shall be given by the company in the *Ontario Gazette* and thereupon such amalgamation shall be deemed to be complete and operative according to the terms of said agreement and the production of the *Ontario Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act and any other Act relating to the amalgamation having been complied with.

CHAPTER 82.

An Act to incorporate the London, Aylmer and North Shore Electric Railway Company.

Assented to 15th April, 1901.

WHEREAS Mahlon Edward Lyon, of the Town of Aylmer, in the County of Elgin, Esquire, William Elzar Stevens, of the Town of Aylmer aforesaid, barrister-at-law, and Coll Sinclair, of the said Town of Aylmer, physician, have by their petition prayed for an Act of incorporation, under the name of "The London, Aylmer and North Shore Electric Railway Company," for the purpose of constructing and operating an electric railway in and from a point in or near the City of London, in the County of Middlesex; thence in a general south-easterly direction through the Townships of London, Westminster, North Dorchester, Yarmouth, South Dorchester and Malahide, to, in and through the Town of Aylmer, and continuing through the said Township of Malahide and the Township of Bayham to the unincorporated village of Port Burwell, in the County of Elgin. Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Mahlon Edward Lyon, and William Elzar Stevens, both of the Town of Aylmer, in the County of Elgin, Cecil R. Luton and Robert M. Luton both of the City of Grand Rapids, in the State of Michigan, and William H. Patterson, of the City of Philadelphia, in the State of Pennsylvania, and such other persons, firms and corporations as shall hereafter become shareholders of the said company, are hereby constituted a body corporate and politic under the name of "The London, Aylmer and North Shore Electric Railway Company." Incorporation

2. The said company is hereby authorized and empowered to survey, lay out, construct, equip, maintain and operate by electricity, and from time to time remove and change a double or single track iron or steel railway of the gauge of four feet eight and one-half inches, with one or more branch or branches and with all necessary side tracks and turnouts for the passage of cars, carriages or other vehicles adapted to the same, from a point in or near the City of London, in the County of Middlesex; thence in a general south-easterly direction through the Townships of London, Westminster, North Dorchester, Yarmouth, South Dorchester and Malahide, to, in and Location of line.

and through the Town of Aylmer, and continuing through the said Township of Malahide and the Township of Bayham to the unincorporated Village of Port Burwell, in the County of Elgin, and the said railway so far as the same may be operated by electricity may be carried along, upon and across such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and under and subject to any agreements between the company and the councils of any of the said corporations, and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in this Act and in *The Municipal Act*, or any Act or Acts amending the same.

Provisional
directors.

3. The said Mahlon Edward Lyon, William Elzar Stevens, Cecil R. Luton, Robert M. Luton and William H. Patterson shall be and are hereby constituted a board of provisional directors of the said company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of *The Electric Railway Act*.

Rev. Stat,
c. 209.

Number of
directors.

4. The number of directors shall not be less than five nor more than nine.

Head office.

5. The head office of the said company shall be at the Town of Aylmer, in the County of Elgin, and all meetings of the provisional board of directors of the company shall be held at the said Town of Aylmer or at such other place as may best suit the convenience of the company.

Capital stock

6. The capital stock of the company shall be \$850,000, to be divided into 8,500 shares of \$100 each.

Date of
annual meet-
ing.

7. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the said company.

Payments in
paid-up stock
or bonds.

8. The provisional directors or the elected directors may pay or agree to pay in paid-up stock or in the bonds of the said company such sums as they may deem expedient to engineers or contractors, or for the right of way, or material, plant, or rolling stock; and also when sanctioned by a vote of the shareholders at any general meeting for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors in furthering the undertaking, or for the purchase of right of way, material, plant or rolling stock whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

9. The company may make special rates for the carriage of fruit, milk or other perishable goods.

10. The said company shall have power to agree for connections and making running arrangements with The Woodstock, Thames Valley and Ingersoll Electric Railway Company and The London Street Railway Company if lawfully empowered to enter into such agreements upon terms to be approved by two-thirds in value, of the shareholders at a special general meeting to be held for that purpose; and it shall also be lawful for the said company to enter into any agreement or agreements with the said companies, or any of them if lawfully authorized to enter into any such agreement for the sale or leasing or hiring of any portion of the railway herein authorized or the use thereof or for the sale or leasing or hiring any motors, carriages or cars or any of them or any part thereof or touching any service to be rendered by one company to the other and the compensation therefor, if the agreement and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose; and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such agreement for using the said railway may and are hereby authorized to work the said railway in the same manner as if incorporated with their own line, subject to the provisions of any by-law or by-laws of any municipality or municipalities which may from time to time be in force so far as the same may affect the company hereby incorporated, or the railway to be built under the authority of this Act, provided that electric power only shall be used in operating any portion of the said railway, or any section or branch thereof, provided also that no such agreement for connections, running arrangements, sale, leasing or hiring of the said railway or any portion thereof shall be entered into by the said company unless and until the consent of the corporation of the municipality or municipalities having jurisdiction in that respect, has first been obtained thereto; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the Legislative authority of the Province of Ontario.

Special rates
for fruit,
milk, etc.

Agreements
for running
arrangements,
etc., with
other com-
panies.

11. The several clauses of *The Electric Railway Act* and every Act in amendment thereof, shall be incorporated with and be deemed to be part of this Act; and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein shall be understood to include the clauses of the said *Electric Railway Act* and every Act in amendment thereof so incorporated with this Act.

Application of
Rev. Stat.
c. 209.

CHAPTER 83.

An Act to incorporate The Maganetawan River Railway Company.

Assented to 15th April, 1901.

Preamble.

WHEREAS James Sharpe, Henry Knight, E. H. Smith, J. D. Reid and R. J. Watson, all of the Village of Burk's Falls, in the District of Parry Sound, S. G. Ritter, of the Village of Ahmic Harbour, George McKnight, E. A. Morris and James S. Freeborn, M.D., all of the Village of Maganetawan, W. Robertson, of the Village of Dunchurch, George Alexander, of the Township of Ryerson, all in the said District of Parry Sound, and A. P. Cockburn, of the Town of Gravenhurst, in the District of Muskoka, have by their petition prayed for an Act of incorporation under the name of The Maganetawan River Railway Company for the purpose of constructing and operating a railway by steam between a point in or near the village of Burk's Falls, in the District of Parry Sound, and a point on the Maganetawan River, in the said District of Parry Sound, where said river is navigable for vessels, with power to build, work and maintain wharves, warehouses and other works necessary to enable said railway to connect with vessels and boats to and from said railway for the purpose of their business; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows;—

Incorporation.

1. The said James Sharpe, William Robertson, E. A. Morris, James S. Freeborn, M. D., R. J. Watson, J. D. Reid, George McKnight, Henry Knight, S. G. Ritter, A. P. Cockburn, George Alexander and F. H. Smith and such other persons and corporations as shall hereafter become shareholders of the company hereby incorporated are hereby constituted a body corporate and politic under the name of "The Maganetawan River Railway Company," hereinafter called "the company."

Location of line.

2. The company is hereby authorized and empowered to survey, lay out, construct, make, build, equip, maintain and operate a railway of the gauge of four feet eight and one-half inches to be operated by steam with single or double iron or steel tracks between a point in or near the Village of Burk's Falls, in the District of Parry Sound, and a point on the Maganetawan

Maganetawan River, in the said District of Parry Sound, where the said river is navigable for vessels.

3. The said James Sharpe, William Robertson, R. J. Watson, George McKnight, Henry Knight, A. P. Cockburn and George Alexander with power to add to their number shall be and are hereby constituted a board of provisional directors of the company of whom a majority shall be a quorum and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Provisional
directors.

4. The said board of provisional directors shall have power forthwith to open stock books and procure subscriptions of stock for the undertaking, and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same; and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway, and with all such other powers as, under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act, and if at any time a portion or more than the whole stock shall have been subscribed the said provisional directors, or board of directors, shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers if, in their judgment, such exclusion will best secure the building of the said railway, and all meetings of the provisional board of directors shall be held at the Village of Burk's Falls in the District of Parry Sound or at such other place as may best suit the interest of the company.

Powers of
provisional
directors.

Rev. Stat.
c. 207.

5. The capital stock of the company hereby incorporated shall be \$30,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*) to be divided into 300 shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in such company; and the money so raised shall be applied in the first place to the payment of all fees, expenses and disbursements of and incidental to the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

Capital stock

Rev. Stat.
c. 207.

First general meeting.

6. When, and as soon as shares to the amount of \$5,000 in the capital stock of the company shall have been subscribed, and twenty per centum paid thereon, into some chartered bank of the Dominion having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the provisional directors, or a majority of them present, at a meeting duly called for the purpose, shall call a general meeting of the shareholders for the purpose of electing directors of the said company, giving at least four weeks' notice by advertisement in the *Ontario Gazette* and in one or more newspapers published in the said village of Burk's Falls, of the time, place and purpose of said meeting.

Election of directors.

7. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect seven persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat. c. 207.

Qualification of directors.

8. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the said company, and unless he has paid up all calls thereon.

Rights of aliens.

9. Aliens and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this Province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the company.

Subscriptions for stock, when binding.

10. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Calls.

11. The directors may from time to time, make calls as they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinafter provided in section 14 of this Act.

12. The provisional directors or the elected directors may pay or agree to pay in paid up stock or in the bonds of the company, such sums as they may deem expedient to engineers or contractors, or for right of way, or material, plant or rolling stock, and also when sanctioned by a vote of the shareholders at any general meeting for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking, or for the purchase of right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Payments in
paid up stock
or bonds.

13. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Transfer of
shares.

14. The head office of the company shall be at the said Village of Burk's Falls, and the annual general meeting of the shareholders of the company shall be held at the said Village or at such other place in the Province of Ontario and on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in the *Ontario Gazette* and once a week, in one newspaper published in the said Village of Burk's Falls during the four weeks immediately preceding the week in which such meeting is to take place.

Head office.

15. Special general meetings of the shareholders of the company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by-laws of the company, upon such notice as is provided in the last preceding section.

Special
general meet-
ings.

16. At all meetings of the company the shareholders thereof may vote by proxy, and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed who is not himself a shareholder in the company.

Voting at
meetings.

17. The directors of the company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all, the sum of \$15,000 for each mile of the said railway and branches, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9 of *The Railway Act of Ontario* shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections.

Bonds.
Rev. Stat.
c. 207.

Bonds, etc.,
how payable.

18. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Mortgaging
or pledging
bonds.

19. The company may from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Negotiable
instruments.

20. The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice president of the company, and countersigned by the secretary or treasurer of the company and under the authority of a quorum of the directors, shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary or treasurer be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided, however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer or intended to be circulated as money, or as the notes or bills of a bank.

Aid to com-
pany

21. The company may receive from any government, or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Agreements
with other
companies.

22. It shall be lawful for the directors of the company to enter into any agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons, for leasing, hiring, or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies of the locomotives, carriages, rolling stock and other movable property of the other or others of them on such terms as to compensation and otherwise as may be agreed on.

23. The company may also construct an electric telegraph line and a telephone line throughout and along the whole line of their railway and the branches thereof or any part of the said railway or branches and for the purpose of constructing, working and protecting the said telegraph and telephone lines the powers conferred upon telegraph companies by *The Act Respecting Telegraph Companies*, being chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided, that no poles shall be erected in the construction of either of the said lines in or through the said Village of Burk's Falls without the consent of the council of such Village being first obtained by the company; and the company may undertake the transmission of messages for the public by such line or lines of telegraph or telephone and collect tolls for so doing.

Telegraph and telephone lines.

24. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes, or in which it is situate by by-law especially passed for that purpose, to exempt the company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Exemptions from municipal taxation.

25. Any municipality through which the said railway may pass or is situate is empowered to grant by way of gift to the company any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway; and the said railway company shall have power to accept gifts of land from any government or any person or body corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Grant of land to company.

26. The company shall have the right on and after the first day of November in each year to enter into and upon any lands of His Majesty, or into and upon any lands of any corporation or persons whatsoever, lying along the route or line of said railway, and to erect and maintain snow fences thereon, subject to the payment of such damages (if any) as may be hereafter established in the manner provided by law in respect of such railway, to have been actually suffered. Provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

Snow fences.

Power to purchase whole lots.

27. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Rev. Stat.,
c. 207.

Acquiring land for gravel pits, etc.

28. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario Land Surveyor to make a map and description of the property so required, and they shall serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payments of money into court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section as to the obtaining materials as aforesaid and such proceedings may be had by the company either for the right to the fee simple in the land from which said material shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Rev. Stat.
c. 207.

Sidings to gravel pits.

29.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be: and all the provisions of *The Railway Act of Ontario* and of this Act, except such as relate to filing plans and publication of notice, shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, subsection 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Rev. Stat.
c. 207.

30. The company shall have full power to purchase land for and erect warehouses, elevators, docks, stations, workshops, and offices, and to sell and convey such land as may be found superfluous for any such purpose, and the company shall have power to hold as part of the property of the company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers and freight and other traffic in connection with the railway.

Powers of
Company.

Warehouses,
docks, etc.

31. The company shall have power to agree for connections and making running arrangements with The Grand Trunk Railway Company of Canada if lawfully empowered to enter into such agreements, upon terms to be approved by two-thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company hereby incorporated to enter into an agreement with the said railway company, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein authorized or the use thereof or for the sale or leasing or hiring any locomotives, tenders, plant or rolling stock or other property or of any part thereof or touching any service to be rendered by the one company to the other and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using the said railway, may and are hereby authorized to work the said railway and in the same manner as if incorporated with their own line; but nothing in this section shall be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Running ar-
rangements
with other
companies.

32. Conveyances of land to the company for the purposes of and powers given by this Act, made in the form set forth in Schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns of the estate or interest therein mentioned, and sufficient bar of dower respectively, of all persons executing the same and such conveyances shall be registered in such manner and upon such proof of execution as is required under the Registry laws of Ontario; and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and certificates endorsed on the duplicates thereof.

Form of con-
veyance of
land to com-
pany.

Application of
Rev. Stat. c.
207.

33. The several clauses of *The Railway Act of Ontario*, and of every act in amendment thereof, shall be incorporated with, and be deemed to be part of this Act, and shall apply to the company and the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof and the expression "this Act" when used herein shall be understood to include the clauses of the said Railway Act, and of every Act in amendment thereof so incorporated with this Act.

Time for com-
mencement
and comple-
tion of line.

34. The said railway shall be commenced within three years and completed within five years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete.

SCHEDULE A.

(Section 32.)

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of dollars paid to me (or us) by The Maganetawan River Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (*insert the name or names of any other party or parties*) in consideration of dollars, paid to me (or us) by the said company, the receipt whereof, is hereby acknowledged do grant and release all that certain parcel (or those certain parcels *as the case may be*) of land (*describe the land*), the same having been selected and laid out by the said company for the purposes of their railway to hold, with the appurtenances unto the said The Maganetawan River Railway Company, their successors and assigns forever (*here insert any other clauses, conditions and covenants required*) and I (or we) the wife (or wives) of the said do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this
day of 19

Signed, sealed and delivered in the presence of

CHAPTER 84.

An Act respecting the Metropolitan Railway Company.

Assented to 15th April, 1901.

WHEREAS The Metropolitan Railway Company, hereinafter called "The Company," by its petition has in effect prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The company may purchase, lease and operate the railway of the Schomberg and Aurora Railway Company.

Power to
acquire
Schomberg
and Aurora
railway.

In case the said company increases the service now being given upon the highway known as Yonge Street outside of the City of Toronto, the character of the cars to be used, the speed at which the said cars shall be run, and generally all such regulations as may be necessary for the protection of life and property upon the said highway in the proper and lawful user thereof by the public, shall be subject to the approval and determination of the Lieutenant-Governor in Council of the Province.

2. The several corporations owning the properties which the company is empowered to purchase, acquire or lease under the Act relating to the company passed in the 63rd year of the reign of Her late Majesty Queen Victoria, chapter 116, and under this Act may severally enter into agreements with the company for conveying or leasing to the company the several railways, rights, powers, surveys, plans, works, plant, material, machinery, franchises and other property to the said corporation severally belonging on such terms and to be paid for in stock, bonds or such other manner as agreed upon, and subject to such restrictions as to the directors seem fit; provided that each such agreement has been first approved by resolution at an annual general meeting, or a special general meeting called for the purpose, of the shareholders of the company and of the corporation entering into such agreement respectively.

Rights of
creditors, etc.
preserved.

Agreements
as to acquiring
the property
of other
companies.

3. No such agreement shall prejudice or affect the rights of creditors or persons having claims against or contracts with any of the said companies, and every such agreement shall be subject to the rights, positions and powers of any municipal corporation under any statute, by-law, agreement or otherwise all which rights, positions and powers may be exercised and enforced as against and with respect to the company and the undertakings, rights, franchises, powers, lines, assets and properties so acquired by it in the same manner and to the same extent and as fully as the same could or might be exercised and enforced as against and with respect to the company entering into such agreement and its undertakings, rights, franchises, powers, lines, assets and properties.

Approval of
agreement by
shareholders

4. No agreement made under authority of sections 2 and 3 of this Act shall be acted upon unless and until it is approved of by votes of shareholders of the respective parties thereto holding at least a majority of the shares represented in person or by proxy at special meetings of shareholders of the respective parties called for considering such agreement, but upon such approval being given said agreement shall be valid and binding according to its terms, and may be acted upon and carried out.

CHAPTER 85.

An Act to incorporate The Niagara District, Wellandport and Dunnville Electric Railway Company

Assented to 15th April, 1901.

Preamble.

WHEREAS David Battle, of the Town of Thorold, in the County of Welland, manufacturer; John Flett, of the City of Toronto, in the County of York, wholesale merchant; Edward Morris, of the Village of Fonthill, in the County of Welland, nurseryman; William M. German, of the Town of Welland, in the County of Welland, barrister, and Joseph Battle, of the said Town of Thorold, coal merchant, have by their petition prayed for an Act of incorporation under the name of The Niagara District, Wellandport and Dunnville Electric Railway Company, for the purpose of constructing and operating an electric railway beginning at some point in the Town of Niagara Falls and in the Town of Thorold, both in the County of Welland, and continuing through the Townships of Stamford, Thorold, Pelham, and Wainfleet, in the County of Welland, the Townships of Canboro, Moulton, Sherbrooke, the Town of Dunnville and the Village of Port Maitland,

Maitland, in the County of Haldimand, and through the Townships of Caistor, Gainsboro, Clinton, Louth, and the Village of Jordan, in the County of Lincoln to Jordan Harbour or Station in the said County of Lincoln; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. David Battle, of the Town of Thorold, in the County of Welland; John Flett, of the City of Toronto, in the County of York; Edward Morris, of the Village of Fonthill, in the County of Welland; William M. German, of the Town of Welland, in the County of Welland, and Joseph Battle, of the said Town of Thorold, and such other persons and corporations as shall hereafter become shareholders in the said company, are hereby constituted a body corporate and politic, under the name of "The Niagara District, Wellandport and Dunnville Electric Railway Company."

2. The said company is hereby authorized and empowered to survey, lay out, construct, complete, alter and keep in repair a double or single track railway, with iron or steel rails, to be operated by electricity beginning at some point in the Town of Niagara Falls and in the Town of Thorold, both in the County of Welland, and continuing through the Townships of Stamford, Thorold, Pelham and Wainfleet, in the County of Welland, the Townships of Canboro, Moulton, Sherbrooke, the Town of Dunnville and the Village of Port Maitland, in the County of Haldimand, and through the Townships of Caistor, Gainsboro, Clinton, Louth, and the Village of Jordan, in the County of Lincoln to Jordan Harbour or Station in the said County of Lincoln and the said railway or any part thereof may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same and subject to the restrictions and provisions therein and in *The Electric Railway Act* contained, and under and subject to any agreements made or hereafter to be made between the said company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the said company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in *The Electric Railway Act* and in *The Municipal Act*, and any Act or Acts amending the same.

3. The said David Battle, John Flett, Edward Morris, William M. German and Joseph Battle, with power to add to their number, shall be and are hereby constituted a board of provisional directors of the said company, and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Meetings of
provisional
directors.

4. All meetings of the provisional board of directors of the said company shall be held in the Town of Thorold, in the County of Welland, or at such other place as may best suit the interests of the said company.

Capital stock.

5. The capital stock of the company hereby incorporated shall be \$100,000, to be divided into 1,000 shares of \$100 each.

Directors
election and
qualification.
Rev. Stat.
c. 209.

6. The board of directors of the said company shall consist of not less than five and not more than nine persons who shall be elected in the manner and possess the qualifications prescribed by *The Electric Railway Act*.

Head office.

7. The head office of the said company shall be at the Town of Thorold.

Incorporation
Rev. Stat.
c. 209.

8. The several clauses of *The Electric Railway Act* and of every Act in amendment thereof shall be incorporated with and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof, and the expression "this Act," when used herein, shall be understood to include the clauses of the said *Electric Railway Act*, and of every Act in amendment thereof so incorporated with this Act.

CHAPTER 86.

An Act respecting The Niagara Falls Park and River Railway Company.

Assented to 15th April, 1901.

WHEREAS The Niagara Falls Park and River Railway Preamble
 Company has represented that in and by an Act of the Parliament of the Dominion of Canada passed in the 63rd and 64th years of the reign of Her late Majesty Queen Victoria and chaptered 54, the said The Niagara Falls Park and River Railway Company was (together with certain corporations of Dominion creation,) authorized and empowered to sell its assets, business undertaking, property, liabilities, name, franchise and good will to the Buffalo Railway Company, and the Buffalo Railway Company was authorized and empowered to purchase the same, reserving, however, the control and jurisdiction of the Commissioners for the Queen Victoria Niagara Falls Park and of the Legislature of Ontario in all respects over the said The Niagara Falls Park and River Railway Company; and whereas The Niagara Falls Park and River Railway Company has by its petition prayed for confirmatory legislation in order to remove any possible constitutional doubt or question; and that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition,—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—]

1. The Niagara Falls Park and River Railway Company may sell its assets, business undertaking, property liabilities, name, franchise and good will to the Buffalo Railway Company, and the Buffalo Railway Company (hereinafter called "the purchasing company") may purchase the same and may pay therefor in such manner as may be agreed upon, and the said two companies may enter into agreements of sale and purchase and do all acts necessary or convenient for the purposes of such sale and purchase, and the execution of any such agreement shall *ipso facto* vest in the Purchasing Company the interest and title in and to the property the subject matter of the agreement, and the business, property real and personal and all rights and incidents appurtenant thereto and all other things belonging to the Niagara Falls Park and River Railway Company shall be taken and deemed to be transferred to and vested in the purchasing company without further act or deed.

Authority
to sell
railway, etc.

55 V. c. 96, s.
4, sub.-sec. 9,
amended.

2. Sub-section 9 of section 4 of the Act passed in the 55th year of the reign of Her late Majesty Queen Victoria and chaptered 96 is hereby amended by striking out the words "to work and light the said railway" in the 25th and 26th lines of the said sub-section and by substituting therefor the words "the purposes of any railway company which purchases the franchise of the Company"; and the paragraph numbered 14 of Schedule "B" to the said Statute is hereby amended by striking out the word "above" in the last line of the said paragraph and by adding to the said paragraph at the end thereof the words "of any railway company which purchases the franchise of the company."

Right of purchasing company to renewal of franchise.

3. If the purchasing company desires to renew for a further period of twenty years after the further period of twenty years for which a right to renew is given in and by the said statute and the schedule thereto, it shall have the right to such further renewal upon the same terms as are set forth in the said statute and schedule with reference to the renewal thereby authorized.

Purchasers to have an office at Niagara Falls.

4. The purchasing company shall have an office at or near Niagara Falls, Ontario, and service of process or legal documents may be effected upon any clerk or officer employed therein or upon the person then in charge thereof, and such service shall be good service upon and shall bind the purchasing company.

Authority of Park Commissioners not to be impaired.

5. Notwithstanding anything in this Act contained the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of Chapter 96 of the Statutes of 1892 of the Legislature of Ontario and the powers of the said Legislature in respect of The Niagara Falls Park and River Railway Company shall continue the same as if this Act had not been passed, and nothing in this Act contained shall vary the agreement of the 4th of December, 1891, by the said Statute of 1892 ratified and confirmed except in so far as the said agreement is by this Act specifically varied.

Purchasing Company to be subject to Provincial and Dominion Statutes.

6. Nothing in this Act contained shall relieve the purchasing company from the observance of the laws of Canada or Ontario as the case may be, except in so far as such laws are inconsistent with the acquisition and operation, of the said undertaking as hereby authorized.

CHAPTER 87.

An Act respecting The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited.

Assented to 15th April, 1901.

WHEREAS The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited, has by its petition prayed that an Act may be passed authorizing it to lease or sell its undertakings, rights, franchises, lines, assets and properties real and personal to The Niagara, St. Catharines and Toronto Railway Company; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited, may transfer by agreement of lease or sale, on such terms as may be agreed on with The Niagara, St. Catharines and Toronto Railway Company, its undertakings, rights, franchises, lines, assets and properties, real and personal, but no such agreement shall prejudice or affect the rights of creditors or persons having claims against or contracts with The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited, and such agreement shall be subject to the rights, positions and powers of any municipal corporation under any statute, by-law, agreement or otherwise and every such claim and contract and all such rights, positions and powers may be exercised and enforced as against and with respect to The Niagara, St. Catharines and Toronto Railway Company and the undertakings, rights, franchises, lines, assets and properties so transferred to it, in the same manner and to the same extent and as fully as the same could or might be exercised and enforced as against and with respect to The Niagara Falls, Wesley Park and Clifton Tramway Company, Limited, and its undertakings, rights, franchises, lines, assets and properties. But nothing herein contained shall be construed as purporting or intending to confer rights or powers beyond the legislative authority of the Province of Ontario.

Power to sell
to Niagara,
St. Catha-
rines and
Toronto Ry.
Co.

Approval of
shareholders.

2. No agreement made under the authority of this Act shall be binding or shall be acted on unless and until it is approved of by a vote of shareholders of each of the companies parties thereto holding at least two-thirds of the shares of the capital stock of such company represented in person or by proxy at a special meeting of the shareholders of the company called for considering such agreement, but upon such approval being given by the shareholders of each company the said agreement shall be valid and binding according to its terms and may be acted upon and carried out.

Lease or sale
not to affect
observance
of Lord's Day.

3. Any lease or sale authorized by this Act shall be without prejudice to the laws of Ontario heretofore or hereafter enacted respecting the observance of the Lord's Day.

CHAPTER 88.

An Act to incorporate The Norwood and Apsley
Railway Company.*Assented to 15th April, 1901*

WHEREAS Joseph Burgess Pearce, William Ewing Roxburgh, Samuel Payne Ford, M.D., Peter Weese Reynolds, John Finley, Thomas James Drain, James Andrews and William Thomas Buck, all of the Village of Norwood; Thomas George Eastland, Paton W. C. Shewen and William Gallon, all of the Township of Anstruther, Thomas Rork and John Bannon McWilliams, both of the Town of Peterborough, Edward Hawthorne and Henry Alexander Moore, both of the Township of Dummer, John William Ratcliff and John Monogue, both of the Township of Chandos, and John Albert Sexsmith, of the Township of Belmont, all in the County of Peterborough, have by their petition prayed for incorporation under the name of "The Norwood and Apsley Railway Company," for the purpose of constructing, maintaining and operating a steam railway from the station on the Ontario and Quebec Division of the Canadian Pacific Railway, at the Village of Norwood, in the Township of Asphodel and County of Peterborough, and thence northerly to a point at or near the unincorporated Village of Apsley, in the Township of Anstruther, in the said County of Peterborough, with power to build, own and operate vessels on Stony Lake and other lakes on the line thereof, in connection with the said railway, and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Joseph Burgess Pearce, Thomas George Eastland, Paton W. C. Shewen, William Gallon, William Ewing Roxburgh, Samuel Payne Ford, M.D., Peter Weese Reynolds, John Finley, Thomas Rork, John Bannon McWilliams, Edward Hawthorne, Thomas James Drain, James Andrews, John Monogue, J. W. Ratcliff, John A. Sexsmith, Henry Alexander Moore and William Thomas Buck, and such other persons and corporations as shall hereafter become shareholders in the company hereby incorporated, are hereby constituted a body corporate and politic under the name of "The Norwood and Apsley Railway Company," hereinafter called "the Company." Incorporation.

Location of
line.

2. The Company is hereby authorized and empowered to survey, lay out, construct, complete, equip, maintain and operate a steam railway, with double or single iron or steel tracks, from the station on the Ontario and Quebec Division of the Canadian Pacific Railway at the Village of Norwood, in the Township of Asphodel, in the County of Peterborough, and thence northerly to a point at or near the unincorporated Village of Apsley, in the Township of Anstruther in the said County of Peterborough.

Gauge.

3. The gauge of the said railway shall be four feet eight and one-half inches.

Provisional
directors.

4. The said Joseph Burgess Pearce, Thomas George Eastland, Paton W.C. Shewen, William Gallon, William Ewing Roxburgh, John Finley, Thomas Rork, John Bannon McWilliams, Edward Hawthorne, Thomas James Drain, James Andrews, John Monogue, John William Ratcliff, John Albert Sexsmith, William Thomas Buck, Henry Alexander Moore, Peter Weese Reynolds and Samuel Payne Ford, M.D., with power to add to their number, shall be and are hereby constituted a board of provisional directors of the company, of whom a majority shall be a quorum, and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Powers of
provisional
directors.

5. The said board of provisional directors shall have power forthwith to open stock-books and procure subscriptions of stock for the undertaking, and to allot the stock and to receive payments on account of stock subscribed, and to make calls upon subscribers in respect to their stock, and to sue for and recover the same; and to cause plans and surveys to be made, and to receive for the company any grant, loan, bonus or gift made to it, or in aid of the undertaking, and to enter into any agreement respecting the conditions or disposition of any gift or bonus in aid of the railway; and with all such other powers as, under *The Railway Act of Ontario*, are vested in ordinary directors. The said directors, or a majority of them, or the board of directors to be elected as hereinafter mentioned, may, in their discretion, exclude any one from subscribing for stock, who, in their judgment, would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act; and if at any time a portion or more than the whole stock shall have been subscribed, the said provisional directors, or board of directors shall allocate and apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking; and in such allocation the said directors may, in their discretion, exclude any one or more of the said subscribers, if, in their judgment, such exclusion will best secure the building of the said railway; and all meetings of the provisional board of directors shall be held at the Village of Norwood, in the County of Peterborough, or at such other place as may best suit the interest of the company.

Rev. Stat. c.
207.

6. Conveyances of lands to the company for the purposes of and powers given by this Act, made in the form set forth in Schedule A hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the registry laws of Ontario, and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof and certificates endorsed on the duplicates thereof.

Conveyances
of land to
company.

7. No subscription for stock in the capital of the company shall be binding on the company unless it shall be approved by resolution of the directors, nor unless ten per centum of the amount subscribed has been actually paid thereon within one month after subscription.

Subscriptions
for stock when
binding.

8. The company may receive from any government, or from any persons or bodies corporate, municipal or politic, who may have power to make or grant the same, aid towards the construction, equipment or maintenance of the said railway, by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

Aid to rail-
way.

9. The capital stock of the company hereby incorporated shall be \$500,000 (with power to increase the same in the manner provided by *The Railway Act of Ontario*), to be divided into five thousand shares of \$100 each, and shall be raised by the persons and corporations who may become shareholders in such company, and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements of, and incidental to, the passing of this Act, and for making the surveys, plans and estimates connected with the works hereby authorized; and the remainder of said money shall be applied to the making, equipping, completing and maintaining of the said railway, and to the other purposes of this Act.

Capital stock.

Rev. Stat. c.
207.

10. When and as soon as shares to the amount of \$50,000 of capital stock in the company shall have been subscribed and ten per centum paid thereon into some chartered bank of the Dominion, having an office in the Province of Ontario, to the credit of the company, and which shall on no account be withdrawn therefrom unless for the services of the company, the said provisional directors, or a majority of them, shall call a general meeting of the shareholders for the purpose of electing directors of the company, giving at least four weeks' notice of such meeting by advertisement in *The Ontario Gazette* and in at least one newspaper published in the said Village of Norwood of the time, place and purpose of the said meeting.

First election
of directors.

Number of
directors and
quorum.

11. At such general meeting the shareholders present either in person or by proxy, who shall at the opening of such meeting have paid up ten per centum on the stock subscribed by them, shall elect seven persons to be directors of the company in manner and qualified as hereinafter mentioned, who shall constitute a board of directors and shall hold office until the next general annual meeting, and a majority of the directors shall form a quorum of the board, and may pass such rules, regulations and by-laws as may be deemed expedient and are not inconsistent with this Act and *The Railway Act of Ontario*; and the said board may employ and pay one of their number as managing director.

Rev. Stat.
c. 207.

Qualification
of directors.

12. No person shall be qualified to be elected as such director by the shareholders unless he be a shareholder holding at least ten shares of stock in the company, and unless he has paid up all calls thereon.

Power to con-
struct line in
sections.

13. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of their course and direction, and of the lands intended to be passed over and taken therefor, so far as then ascertained, and also the book of reference for the railway, and to deposit the same, as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, of such length as the company may from time to time see fit so that no one of such sections or portions shall be less than ten miles in length; and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said *Railway Act* and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of the said railway is to pass, together with the map or plan of the whole thereof, and of their whole course and direction, and of the lands intended to be passed over and taken, and the book of reference of the whole of said railway had been taken, made, examined, certified and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to "plans and surveys."

Rev. Stat.
c. 207.

Rights of
aliens.

14. Aliens, and companies incorporated abroad, as well as British subjects and corporations, may be shareholders in the company, and all such shareholders, whether resident in this province or elsewhere, shall be entitled to vote on their shares equally with British subjects, and shall also be eligible for office as directors in the company.

15. The directors may, from time to time, make calls as Calls on stocks they shall think fit, provided that no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, and thirty days' notice shall be given of each call, as hereinafter provided in section 17 of this Act.

16. The provisional directors, or the elected directors, may Payments in stock or bonds. pay, or agree to pay, in paid up stock or in the bonds of the company, such sums as they may deem expedient, to engineers or contractors, or for right of way, or material, plant or rolling stock, and also, when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters or other persons who may be employed by the directors in furthering the undertaking or for the purchase of right of way, material, plant, or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

17. The head office of the company shall be at the said Head office, general annual meeting. Village of Norwood, and the general annual meeting of the shareholders of the company shall be held in such place in the said Village of Norwood, on such days and at such hours as may be directed by the by-laws of the company; and public notice thereof shall be given at least four weeks previously in the *Ontario Gazette* and once a week in one newspaper published in the said Village of Norwood during the four weeks immediately preceding the week in which such meeting is to take place.

18. Special general meetings of the shareholders of the company may be held at such places and at such times and in such manner and for such purposes as may be provided by the by-laws of the company, upon such notice as is provided in the last preceding section. Special general meetings.

19. At all meetings of the company the shareholders there- Voting by proxy. of may vote by proxy and the proxy may be appointed in such manner and by such means as the by-laws of the company may provide, but no person shall be qualified to be so appointed, who is not himself a shareholder in the company.

20. The directors of the company shall have power to issue Issue of bonds bonds of the company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of \$20,000 for each mile of the said railway, and the provisions of sub-sections 19, 20, 21, 22 and 23 of section 9, of *The Railway Act of Ontario*, shall apply to all such bonds and the issue thereof, and such bonds shall be issued subject and according to, and in conformity with the provisions of the said sub-sections. Rev. Stat. c. 207.

Bonds, etc.
how payable

Transfer of
bonds.

21. All such bonds, debentures and other securities and coupons and interest warrants thereon respectively, may be made payable to bearer and transferable by delivery, and any holder of any such securities so made payable to bearer, may sue at law thereon in his own name.

Negotiable in-
struments.

22. The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than \$100, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary of the company, and under the authority of a quorum of the directors, shall be binding on the company, and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president, vice-president or the secretary be individually responsible for the same unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided however, that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Mortgaging
or pledging
bonds.

23. The company may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they may be enabled, under the powers of this Act, to issue for the construction of the said railway.

Agreements
with other
companies for
leasing or hir-
ing rolling
stock.

24. It shall be lawful for the directors of the company to enter into an agreement or agreements with any other company or companies, if lawfully authorized to enter into such agreements, or with any person or persons for leasing, hiring, or use of any locomotives, carriages, rolling stock and other movable property from such companies or persons for such time or times and on such terms as may be agreed on; and also to enter into agreements with any railway company or companies, if so lawfully authorized, for the use by one or more of such contracting companies, of the locomotives, carriages, rolling stock and other movable property of the other or others of them on such terms as to compensation and otherwise as may be agreed upon.

Telegraph and
telephone
lines.

25. The company may also construct an electric telegraph line and a telephone line in connection with their railway, and for the purpose of constructing, working and protecting the said telegraph and telephone lines, the powers conferred upon telegraph companies by the *Act respecting Telegraph Companies*, being chapter 192 of the Revised Statutes

Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; provided also, that such telegraph and telephone lines shall be used exclusively for the purposes of the business of the company.

26. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes, or in which it is situate, by by-law especially passed for that purpose, to exempt the company and its property within such municipality, either in whole or in part from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise in gross, by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

By-laws granting exemption from taxation.

27. Any municipality through which the said railway may pass or is situate is empowered to grant, by way of gift to the company, any lands belonging to such municipality, or over which it may have control, which may be required for right of way, station grounds or other purposes connected with the running or traffic of the said railway; and the said railway company shall have power to accept gifts of land from any government, or any person or body, corporate or politic, and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Gifts of lands.

28. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case, by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price or to greater advantage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or part thereof, from time to time as they may deem expedient; but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Power to purchase whole lots.

Rev. Stat. c. 207.

29. When stone, gravel, earth or sand is or are required for the construction or maintenance of said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall

Acquiring material for construction.

Rev. Stat. c.
207.

serve a copy thereof, with their notice of arbitration, as in case of acquiring the roadway, and the notice of arbitration, the award and the tender of compensation, shall have the same effect as in case of arbitration for the roadway; and all the provisions of *The Railway Act of Ontario*, and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into court, the right to sell, the right to convey, and the parties from whom land may be taken, or who may sell, shall apply to the subject matter of this section, as to the obtaining materials as aforesaid; and such proceedings may be had by the company either for the right to the fee simple in the land from which said materials shall be taken, or for the right to take materials for any time they shall think necessary; the notice of arbitration, in case arbitration is resorted to, to state the interest required.

Sidings to
gravel pits.

Rev. Stat. c.
207.

30.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act, at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which said material shall be found, whatever the distance may be; and all the provisions of *The Railway Act of Ontario*, and of this Act, except such as relate to filing plans and publications of notice shall apply and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years or permanently, as the company may think proper; and the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed for the purpose of repairing and maintaining the said railway.

Rev. Stat. c.
207.

(2) When estimating the damages for the taking of gravel, stone, earth or sand, subsection 9 of section 20 of *The Railway Act of Ontario*, shall not apply.

Power to hold
additional
property.

31. The company shall have full power to purchase land for, and erect warehouses, elevators, docks, stations, workshops and offices, and to sell and convey such land as may be found superfluous for any such purpose; and the company shall have power to hold as part of the property of the said company, as many steam or other vessels as the directors of the company may deem requisite, from time to time, to facilitate the carriage of passengers, freight and other traffic in connection with the railway, on Stony Lake and other lakes on the line of the said railway.

Power to erect
snow fences.

32. The company shall have the right, on and after the 1st day of November in each year, to enter into and upon any lands of His Majesty, or into and upon any lands of any corporation or persons whatsoever, lying along the route or line of said railway, and to erect and maintain snow fences thereon

thereon, subject to the payment of such damages (if any) as may be thereafter established in the manner provided by law in respect of such railway, to have been actually suffered, provided always that any such snow fences so erected shall be removed on or before the first day of April next following.

33. The company shall have power to agree for connections and making running arrangements with the Canadian Pacific Railway Company, if lawfully empowered to enter into such agreements, upon terms to be approved by two-thirds in value of the shareholders at a special general meeting to be held for that purpose, and it shall also be lawful for the said company hereby incorporated to enter into an agreement with the said railway company, if lawfully authorized to enter into such an agreement, for the sale or leasing or hiring of the whole or any portion of the railway herein authorized or the use thereof or for the sale or leasing or hiring any locomotives, tenders, plant or rolling stock or other property or of any part thereof or touching any service to be rendered by the one company to the other and the compensation therefor, if the arrangements and agreements shall be approved of by two-thirds in value of the shareholders voting in person or by proxy at a special general meeting to be called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the company purchasing, leasing or entering into such an agreement for using the said railway, may and is hereby authorized to work the said railway and in the same manner as if incorporated with its own line; but this section shall not be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of the Province of Ontario.

Arrangements
with other
companies.

34. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect of shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

Transfer
shares.

35. The company shall have power to collect and receive all charges subject to which goods or commodities may come into their possession, and on payment of such back charges, and without any formal transfer shall have the same lien for the amount thereof upon such goods or commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such persons for such charges.

Payment of
back charges
on goods.

36. The several clauses of *The Railway Act of Ontario* and of every Act in amendment thereof shall be incorporated with, and be deemed to be part of this Act, and shall apply to the company

Incorporation
of provisions
of Rev. Stat.,
c. 207.

company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the clauses of the said Railway Act and of every Act in amendment thereof so incorporated with this Act.

Commence-
ment and
completion of
line.

37. The railway shall be commenced within three years and finally completed within five years after the passing of this Act.

SCHEDULE "A."

(Section 6.)

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of _____ dollars paid to me (or us) by the Norwood and Apsley Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (*insert the name or names of any other party or parties*), in consideration of _____ dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (*or those certain parcels, as the case may be*) of land (*describe the land*), the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said the Norwood and Apsley Railway Company, their successors and assigns forever (*here insert any other clauses, covenants and conditions required*), and I (or we), the wife (or wives), of the said _____ do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (*or hands and seals*) this _____ day of _____ one thousand nine hundred and _____

Signed, sealed and delivered }
in the presence of }

[L.S.]

CHAPTER 89.

An Act respecting the South Essex Electric Railway Company.

Assented to 15th April, 1901.

WHEREAS the South Essex Electric Railway Company Preamble.
 have by their petition prayed that an Act may be
 passed authorizing the company to extend their line from the
 Town of Leamington to or near the end of Point Pelee in the
 County of Essex, and extending the time for the commence-
 ment and completion of the company's railway; and whereas
 it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:—

1. Section 2 of chapter 109 of the Acts passed in the 59th 59 V., c. 109,
 year of the reign of Her late Majesty Queen Victoria, intituled s. 2 amended.
 "An Act to incorporate the South Essex Electric Railway
 Company," as amended by section 1 of chapter 95 of the Acts
 passed in the 60th year of the said reign, is amended by adding
 thereto, after the words "Town of Leamington," in the said Location
 section, the words "and thence to a point at or near the end of line.
 of Point Pelee."

2. The said railways shall be commenced within two years Time for
 and completed within five years after the passing of this Act. commence-
ment and
completion.

3. Section 3 of chapter 95 of the Acts passed in the 60th 60 V., c. 95,
 year of the reign of Her late Majesty Queen Victoria, inti- s. 3 repealed.
 tuled, "An Act to amend the Act incorporating the South
 Essex Electric Railway Company," is repealed.

CHAPTER 90.

An Act respecting the Strathroy and Western Counties Railway Company.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Strathroy and Western Counties Railway Company has by its petition prayed that the charter of the said railway company may be revived and the time for the commencement and completion of the railway extended; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

61 V., c. 64,
s. 2 repealed.

1. Section 2 of chapter 64 of the Acts passed in the 61st year of the reign of Her late Majesty Queen Victoria is repealed and subject to the provisions hereinafter contained the *Act to incorporate the Strathroy and Western Counties Railway Company* being chapter 99 of the Acts passed in the 56th year of the said reign is hereby declared to be and to have continued in force in the same manner as if the said section had not been enacted.

Time for
construction
extended.

2. The said railway shall be commenced within three years, and completed within six years after the passing of this Act.

CHAPTER 91.

An Act respecting The Toronto Suburban Railway Company.

Assented to 15th April, 1901.

WHEREAS The Toronto Suburban Railway Company Preamble.
 hereinafter called "The Company" has by petition set forth that the said company has under the various Acts incorporating and relating to the company, constructed and is now operating in the Township of York and other municipalities certain portions of the lines of railway by the said Acts authorized; and whereas the said company has by the said petition prayed that an Act may be passed authorizing the said company to extend the railway from its present terminus at Lambton Mills, in the Township of York, in the County of York, to some point in the City of Hamilton, in the County of Wentworth, passing through the Townships of York and Etobicoke, in the said County of York, the Township of Toronto, in the County of Peel, the Townships of Trafalgar and Nelson, in the County of Halton, and the Townships of Saltfleet, Barton, East Flamboro' and West Flamboro', in the said County of Wentworth; and for other purposes hereinafter mentioned; and whereas it is expedient to grant the prayer of the said petition.

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :

1. The company is authorized and empowered to extend its said line of railway and to survey, lay out, construct, make, complete and operate the same from its present terminus at Lambton Mills, in the Township of York, in the County of York, to some point in the City of Hamilton, in the County of Wentworth, passing through the Townships of York and Etobicoke, in the said County of York, the Township of Toronto, in the County of Peel, the Townships of Trafalgar and Nelson, in the County of Halton, and the Townships of Saltfleet, Barton, East Flamboro' and West Flamboro', in the said County of Wentworth, and the said railway, or any part thereof, so far as the same may be operated by electricity, may be carried along and upon such public highways as may be authorized by the by-laws of the respective corporations having jurisdiction over the same, and subject to the restrictions and provisions therein and in this Act contained, and Hamilton authorized.
 under

under and subject to any agreements between the company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway, subject to the provisions and conditions contained in this Act and in *The Municipal Act* and any Act or Acts amending the same.

Construction
of line in
sections.

Rev. Stat.
c. 207.

2. The company is hereby authorized and empowered to take and make the surveys and levels of the lands through which the said railway is to pass, together with the map or plan thereof, and of its course and direction and of the lands intended to be passed over and taken therefor, so far as then ascertained, and also the book of reference for the railway, and to deposit the same as required by the clauses of *The Railway Act of Ontario* and the amendments thereto with respect to plans and surveys, by sections or portions less than the length of the whole railway authorized, and of such length as the company may from time to time see fit, so that no one of such sections or portions shall be less than ten miles in length and upon such deposit as aforesaid of the map or plan and book of reference of any and each of such sections or portions of the said railway, all and every of the clauses of the said *Railway Act* and the amendments thereof applied to, included in or incorporated with this Act shall apply and extend to any and each of such sections or portions of the said railway as fully and effectually as if the surveys and levels had been taken and made of the lands through which the whole of said railway is to pass, together with the map or plan of the whole thereof, and of its whole course and direction and of the lands intended to be passed over and taken and the book of reference of the whole of the said railway had been taken, made, examined, certified and deposited according to the said clauses of the said *Railway Act* and the amendments thereof with respect to, "plans and surveys."

Increasing
capital stock.

3. The capital stock of the company shall be increased by \$750,000 in addition to the present capital stock.

Calls.

4. The directors of the company may from time to time make such calls of money upon the respective shareholders, in respect of the amount of capital respectively subscribed or owing by them, as they deem necessary, and thirty days' notice at the least shall be given of each call, and no call shall be made at any one time of more than ten per centum of the amount subscribed by each shareholder, or be made at a less interval than two months from the previous call.

Payments in
paid-up stock
or bonds.

5. The directors of the company may enter into a contract or contracts with any individual, corporation or association of individuals

individuals, for the construction or equipment of the line, or any part thereof, including or excluding the purchase of right of way, and may pay therefor either in the whole or in part, either in cash or bonds, or in paid-up stock; provided, that no such contract shall be of any force or validity till approved of by two-thirds of the shareholders present in person or by proxy at a meeting specially convened for considering the same.

6.—(1) The company is hereby authorized to purchase, ^{Parks.} lease or acquire by voluntary donation, and to hold, for any estate in the same, and to sell, lease, alienate or mortgage any lands or premises intended, and necessary or suitable for park or pleasure grounds, not exceeding 100 acres in any one municipality; and the company is authorized to improve and lay out such lands as parks or places of public resort, and to make and enter into any agreements or arrangements with the municipal corporations of the municipalities wherein the same are situate, or any of them in respect thereto; subject, however, to the power of the municipality to pass by-laws to regulate the use of such public parks and pleasure grounds; but none of the provisions of this section shall be in force or have effect unless and until the municipal council or councils of the municipality or municipalities wherein the lands proposed to be acquired by the company are situate has or have by by-law declared its or their assent to the company acquiring lands under and for the purposes mentioned in this section; provided, that the total acreage of ^{Proviso.} lands acquired by the company for park purposes shall not exceed 300 acres; and no such park or pleasure grounds shall be open to the public on the Lord's Day to be used for games, picnics, concerts, excursions or other public entertainments; provided, moreover, that the company shall not under this ^{Proviso.} section have power to acquire any lands after the lapse of five years from the passing of this Act; and, provided, also that nothing in this section contained shall be deemed to enable the company to carry on the general business of a land company.

7. The company may receive from any government or ^{Aid to rail-} from any persons or bodies corporate, municipal or politic, ^{way.} who may have power to make or grant the same aid towards the construction, equipment or maintenance of the said railway by way of gift, bonus or loan of money, or debentures or other securities for money, or by way of guarantee upon such terms and conditions as may be agreed upon.

8. Any municipality through which the said railway may pass or is situate is empowered to grant by way of gift to the ^{Grants of land} company any lands belonging to such municipality or ^{from muni-} over which it may have control, which may be required for ^{icipalities.} right of way, station grounds, or other purposes connected with the running or traffic of the said railway, and the said railway company shall have power to accept gifts of land from any

any government or any person or body corporate or politic ; and shall have power to sell or otherwise dispose of the same for the benefit of the company.

Exemptions
from muni-
cipal taxation.

9. It shall be lawful for the corporation of any municipality through any part of which the railway of the company passes, or in which it is situate, by by-law specially passed for that purpose, to exempt the company and its property within such municipality, either in whole or in part, from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise, in gross by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as such municipal corporation may deem expedient, not exceeding twenty-one years, and no such by-law shall be repealed unless in conformity with a condition contained therein.

Aid from
municipalities

10. Any municipality or any portion of a township municipality, which may be interested in securing the construction of the said railway, or through any part of which, or near which, the railway or works of the company shall pass or be situate, may aid the company, by giving money or debentures by way of bonus, gift or loan or by the guarantee of the municipal corporation, under and subject to the provisions hereinafter contained ; provided always that such aid shall not be given except after the passing of a by-law for the purpose, and the adoption of such by-law by the qualified ratepayers of the municipality, or portion of the municipality (as the case may be) in accordance with and as provided by law in respect to granting aid by way of bonuses to railways.

Submitting
by-law.

11. Such by-law shall be submitted by the municipal council to the vote of the ratepayers in manner following, namely :

(1) The proper petition shall first be presented to the council expressing the desire to aid the railway, and stating in what way and for what amount, and the council shall within six weeks after the receipt of such petition by the clerk of the municipality, introduce a by-law to the effect petitioned for, and submit the same to the approval of the qualified voters.

(2) In the case of a county municipality the petition shall be that of a majority of the members of the county council, or of fifty resident freeholders in each of the minor municipalities of the county who are qualified voters under *The Municipal Act* and the amendments thereto.

Rev. Stat.
c. 223.

(3) In the case of other municipalities the petition shall be that of a majority of the council thereof, or of fifty resident freeholders, being duly qualified voters under *The Municipal Act* and the amendments thereto, as aforesaid.

Rev. Stat.
c. 223.

(4) In the case of a section of a township municipality the petition is to be presented to the council defining the section by metes and bounds, or lots and concessions, and shall be that of a majority of the council of such township municipality, or of fifty resident freeholders in such section of the municipality, being duly qualified voters, as aforesaid.

12. Such by-law shall in each instance provide :

Conditions of
by-law.

(1) For raising the amount petitioned for in the municipality, or portion of the township municipality, as the case may be, mentioned in the petition, by the issue of debentures of the county or minor municipality, respectively, and shall also provide for the delivery of such debentures, or for the application of the amount to be raised thereby, as may be expressed by the said by-law.

(2) For assessing and levying upon all rateable property lying within the municipality or portion of the township municipality defined in said by-law, (as the case may be), an annual special rate sufficient to include a sinking fund for the repayment of the said debentures within twenty years, with interest thereon, payable yearly or half-yearly, which debentures the respective municipal councils, wardens, mayors, reeves and other officers thereof are hereby authorized to execute and issue in such cases respectively.

13. Before any such by-law is submitted, the railway company shall if required, deposit with the treasurer of the municipality, a sum sufficient to pay the expense to be incurred in submitting said by-law.

Deposit to be
made before
by-law is
submitted.

14. In case the by-law submitted be approved of and carried in accordance with the provisions of the law in that behalf then within four weeks after the date of such voting the municipal council, which submitted the same, shall read the said by-law a third time and pass the same.

By-law, if as-
sented to to be
passed by
council.

15. Within one month after the passing of such by-law the said council and the mayor, warden, reeve, or other head or other officers thereof, shall issue or dispose of the debentures provided for by the by-law and deliver the same duly executed to the trustees appointed, or to be appointed under this Act.

Issue of
bonus
debentures.

16. In case any such loan, guarantee or bonus be so granted by a portion of a township municipality, the rate to be levied for payment of the debentures issued therefor and the interest thereon, shall be assessed and levied upon such portion only of such municipality.

Aid from
portion of
township.

17. The councils for all corporations that may grant aid by way of bonus to the company may by resolution or by-law extend the time for the commencement of the work beyond that

Extending
time for com-
mencement
of work.

that stipulated for in the by-law, or by-laws, granting such aid from time to time, provided that no such extension shall be for a longer period than one year.

Extending
time for
completion.

18. It shall and may be lawful for the council of any municipality that may grant aid by way of bonus to the company, by resolution or by-law, to extend the time for the completion of the works (on the completion of which the company shall be entitled to such bonus) from time to time provided that no such extension shall be for a longer period than one year at a time.

Petition
against
aid from
counties.

19. In the case of aid from a county municipality, fifty resident freeholders of the county may petition the county council against submitting the said by-law upon the ground that certain minor municipalities or portions thereof comprised in the said by-law would be injuriously affected thereby or upon any other ground ought not to be included therein and upon deposit by the petitioners with the treasurer of the county of a sufficient sum to defray the expenses of such reference, the said council shall forthwith refer the said petition to three arbitrators, one being the Judge of the County Court and one being the registrar of the county, or of the riding in which the county town is situate, and one being an engineer appointed by the Commissioner of Public Works for Ontario, who shall have power to confirm or amend the said by-law by excluding any minor municipality or any section thereof therefrom, and the decision of any two of them shall be final, and the by-law so confirmed or amended shall thereupon, at the option of the railway company, be submitted by the council to the duly qualified voters and in case the by-law is confirmed by the arbitrators the expense of the reference shall be borne by the petitioners against the same, but if amended then by the railway company, or the county, as the arbitrators may order.

"Minor muni-
cipality,"
meaning of.

20. The term "minor municipality" shall be construed to mean any town not separated from the municipal county, township or incorporated village, situate in the county municipality.

Application
of Rev. Stat.
c. 223.

21. The provisions of *The Municipal Act* and the amendments thereto, so far as the same are not inconsistent with this Act, shall apply to any by-law so passed by or for a portion of a township municipality, to the same extent as if the same had been passed by or for the whole municipality.

Extent of
aid from
municipalities.

22. Any municipality or portion of a township municipality interested in the construction of the road of the company, may grant aid by way of bonus to the company towards the construction of such road, notwithstanding that such aid may increase the municipal taxation of such municipality, or portion thereof, beyond what is allowed by law; provided that

such

such aid shall not require the levying of a greater aggregate annual rate for all purposes exclusive of school rates, than three cents in the dollar upon the value of the rateable property therein.

23. Whenever it shall be necessary for the purpose of procuring sufficient land for stations, or gravel pits, or for constructing, maintaining and using the said railway, and in case by purchasing the whole of any lot or parcel of land over which the railway is to run, the company can obtain the same at a more reasonable price or to greater advantage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell or convey the same or any part thereof from time to time as they may deem expedient but the compulsory clauses of *The Railway Act of Ontario* shall not apply to this section.

Power to purchase whole lots.

Rev. Stat. c. 207.

24. When stone, gravel, earth or sand is or are required for the construction or maintenance of the said railway or any part thereof, the company may, in case they cannot agree with the owner of the lands on which the same are situate, for the purchase thereof, cause an Ontario land surveyor to make a map and description of the property so required, and they shall serve a copy thereof with their notice of arbitration as in case of acquiring the roadway and the notice of arbitration the award and the tender of the compensation shall have the same effect as in case of arbitration for the roadway and all the provisions of *The Railway Act of Ontario* and of this Act, as to the service of the said notice, arbitration, compensation, deeds, payment of money into Court, the right to sell, the right to convey and the parties from whom lands may be taken or who may sell shall apply to the subject matter of this section as to the obtaining materials as aforesaid; and such proceedings may be had by the company, either for the right to the fee simple in the land from which the said materials shall be taken or for the right to take materials for any time they shall think necessary; the notice of arbitration in case arbitration is resorted to to state the interest required.

Taking land for gravel pits.

Rev. Stat. c. 207.

25.—(1) When said gravel, stone, earth or sand shall be taken under the preceding section of this Act at a distance from the line of the railway, the company may lay down the necessary sidings and tracks over any lands which may intervene between the railway and the lands on which the said materials shall be found, whatever the distance may be but such distance shall not exceed one mile in length; and all the provisions of *The Railway Act of Ontario*, and of this Act, except such as relate to filing plans and publications of notice, shall apply, and may be used and exercised to obtain the right of way from the railway to the land on which such materials are situated; and such right may be so acquired for a term of years, or permanently, as the company may think proper; and the

Sidings to gravel pits.

Rev. Stat. c. 207.

the powers in this and the preceding section may at all times be exercised and used in all respects after the railway is constructed, for the purpose of repairing and maintaining the said railway.

(2) Such sidings and tracks shall not be used by the company or by others, nor shall the company suffer or permit the use of such sidings or tracks for transportation purposes or for any other purpose than that of constructing and maintaining the said railway.

Rev. Stat.
c. 207.

(3) When estimating the damages for the taking of gravel, stone, earth or sand, sub-section 9 of section 20 of *The Railway Act of Ontario* shall not apply.

Trustees of
municipal
debentures.

26. Whenever any municipality, or portion of a township municipality, shall grant aid by way of bonus or gift to the railway company, the debentures therefor shall within six months after the passing of the by-law authorizing the same be delivered to three trustees to be named, one by the Lieutenant-Governor in Council, one by the said company, and one by the majority of the heads of the municipalities which have granted bonuses, all of the trustees to be residents of the Province of Ontario, provided that if the said heads of the municipalities shall refuse or neglect to name such trustee within one month after notice in writing of the appointment of the company's trustee, or if the Lieutenant-Governor in Council shall omit to name such trustee within one month after notice in writing to him of the appointment of the other trustees, then in either case the company shall be at liberty to name such other trustee or other trustees. Any of the said trustees may be removed and a new trustee appointed in his place at any time by the Lieutenant-Governor in Council; and in case any trustee dies, or resigns his trust, or goes to live out of the Province of Ontario, or otherwise becomes incapable of acting, his trusteeship shall become vacant, and a new trustee may be appointed by the Lieutenant-Governor in Council.

Trusts of pro-
ceeds of
debentures.

27. The said trustees shall receive the said debentures or bonds in trust, firstly, under the directions of the company, but subject to the conditions of the by-laws in relation thereto, as to time or manner, to convert the same into money or otherwise dispose of them; secondly, to deposit the debentures or the amount realized from the sale in some chartered bank having an office in the Province of Ontario in the name of "The Toronto Suburban Railway Municipal Trust Account," and to pay the same out to the company from time to time as the company becomes entitled thereto under the conditions of the by-law granting the said bonus and on the certificate of the chief engineer of the said company for the time being in the form set out in the Schedule "A" hereto, or to the like effect, which certificate shall set forth that the conditions of the by-law have been complied with, and is to be attached to the cheque or order drawn by the

the said trustees for such payment or delivery of debentures, and such engineer shall not wrongfully grant any such certificate under a penalty of \$500 recoverable in any court of competent jurisdiction by any person who may sue therefor.

28. The trustees shall be entitled to their reasonable fees Fees of and charges from said trust fund, and the act of any two of trustees. such trustees shall be as valid and binding as if the three had agreed.

29. The company shall have power to collect and Collecting receive all charges subject to which goods or commodities may back charges come into their possession and on payment of such back on goods. charges and without any formal transfer shall have the same lien for the amount thereof upon such goods and commodities as the person to whom such charges were originally due, and shall be subrogated by such payment in all the rights and remedies of such person for such charges.

30. The company may also construct an electric tele- Telegraph and graph line and a telephone line in connection with their railway telephone and for the purpose of constructing, working and protecting lines. the said telegraph and telephone lines, the powers conferred upon telegraph companies by *The Act respecting Telegraph Companies* being Chapter 192 of the Revised Statutes of Ontario, 1897, are hereby conferred upon the company; provided that no poles shall be erected in the construction of either of the said lines in or through any city, town or incorporated village without the consent of the council of such city, town or village being first obtained by the company; provided also that such telegraph and telephone lines shall be used exclusively for the purpose of the business of the company.

31. The directors of the company, under the authority of Bonds for the shareholders, to them given at any special general meeting \$20,000 called for the purpose, at which meeting shareholders repre- per mile. senting at least two-thirds in value of the subscribed stock of the company, and who have paid all calls due thereon, are present in person or represented by proxy, may, subject to the provisions in this Act contained, issue bonds, debentures or other securities to the extent of \$20,000 per mile for each and every mile of single track of the said railway and extensions and branches; such bonds, debentures or other securities shall be signed by the president or other presiding officer and countersigned by the secretary, which counter signature and the signature of the coupons attached to the same may be engraved; and such bonds, debentures or other securities may be made payable at such times and in such manner and at such place or places in Canada or elsewhere, and may bear such rate of interest not exceeding six per cent. per annum as the directors may think proper.

- (a) The directors shall issue and sell or pledge all or any of the said bonds, debentures or other securities at the best price and upon the best terms and conditions which at the time they may be able to obtain, for the purpose of raising money for prosecuting the said undertaking.
- (b) No such bond, debenture or other security shall be for a less sum than one hundred dollars.
- (c) The power of issuing bonds conferred upon the company hereby shall not be construed as being exhausted by such issue, and such power may from time to time be exercised upon the bonds constituting such or any issue being withdrawn or paid off and duly cancelled, but no bonds or debentures shall be issued until \$50,000 has been actually expended on the work.
- (d) Such bonds shall be issued only in proportion to the length of railway constructed or under contract to be constructed.

Mortgage
securing bond
issue.

32. The company may secure such bonds, debentures or other securities, by a mortgage deed creating such mortgages, charges and incumbrances upon the whole of such property, assets, rents and revenues of the company, present or future or both, as are described in the said deed; but such rents and revenues shall be subject in the first instance to the payment of the working expenses of the railway.

- (a) By the said deed the company may grant to the holders of such bonds, debentures or other securities, or the trustees named in such deed, all and every the powers, rights and remedies granted by this Act in respect of the said bonds, debentures or other securities, and all other powers, rights and remedies not inconsistent with this Act; or may restrict the said holders in the exercise of any power, privilege or remedy granted by this Act, as the case may be, and all the rights, powers and remedies so provided for in such mortgage deed shall be valid and binding and available to the said holders in manner and form as therein provided.
- (b) Every such mortgage deed shall be deposited in the office of the Provincial Secretary of which deposit notice shall be given by the company in *The Ontario Gazette*.
- (c) It shall not be necessary in the exercise of the powers as to mortgaging and in order to preserve the priority, lien, charge, mortgage or privilege purporting to appertain to or be created by any bond, debenture or other security issued, or mortgage deed

deed executed under the authority of this Act, that such bond or deed should be registered in any manner or in any place whatsoever except at the office of the Provincial Secretary as aforesaid, nor shall it be necessary to comply with the provisions of *The Bills of Sale and Chattel Mortgage Act* or any Act requiring the registration or renewal of mortgages of chattels, but any mortgage which may be executed by the company under the powers conferred upon it, shall, upon the same being deposited in the office of the Provincial Secretary, have full force and effect and priority according to the time of deposit, and shall form a lien and encumbrance upon any personal property or chattels therein embraced, to all intents and purposes, as therein expressed and set forth, as if the provisions of the said *Bills of Sale and Chattel Mortgage Act* or any Act requiring registration or renewal of mortgages of chattels had been fully complied with.

Rev. Stat.
c. 148.

33. Until they have been surrendered and lawfully cancelled, the bonds, debentures or other securities, hereby authorized to be issued, shall be taken and considered to be the first preferential claim and charge upon the company, and the privileges acquired under this Act and the franchise, undertaking, tolls and income, rents and revenues and real and personal property thereof, at any time acquired, save and except as provided for in the next preceding section.

Bonds to be a
first charge on
property.

- (a) Each holder of the said bonds, debentures or other securities, shall until they have been surrendered and lawfully cancelled be deemed to be a mortgagee or incumbrancer upon the said securities pro rata with all the other holders, and no proceedings authorized by law or by this Act shall be taken to enforce payment of the said bonds, debentures or other securities or of the interest thereon, except through the trustee or trustees appointed by or under such mortgage deed.

34. If the company makes default in paying the principal of or interest on any of the bonds, debentures or other securities, hereby authorized, at the time when the same, by the terms of the bond, debenture or other security, becomes due and payable, then at the next annual general meeting of the company and at all subsequent meetings, all holders of bonds, debentures or other securities, so being and remaining in default shall, in respect thereof, have and possess the same rights and privileges and qualifications for being elected directors and for voting at general meetings, as would attach to them as shareholders if they held fully paid-up shares of the company to a corresponding amount.

Rights of bond
holders on
default of
payment.

- (a). The rights given by this section shall not be exercised by any such holder unless it is so provided by the mortgage deed, nor unless the bond, debenture or other security in respect of which he claims to exercise such rights has been registered in his name, in the same manner as the shares of the company are registered at least ten days before he attempts to exercise the right of voting thereon; and the company shall be bound on demand to register such bonds, debentures or other securities, and any transfers thereof thereafter, in the same manner as shares or transfers of shares.
- (b). The exercise of the rights given by this section shall not take away, limit or restrain any other of the rights or remedies to which the holders of the said bonds, debentures or other securities are entitled under the provisions of any such mortgage deed.

Transfer of
bonds.

35. All bonds, debentures or other securities hereby authorized may be made payable to bearer, and shall in that case be transferable by delivery, until registration thereof as hereinbefore provided and while so registered they shall be transferable by written transfers, registered in the same manner as in the case of the transfer of shares.

Disposing of
property no
longer re-
quired.

36. Any lands or chattel property which may have become no longer useful or necessary for the purposes of the company may be released by the trustees of any mortgage securing the bonds of the company if a provision for such release is contained in the mortgage, and thereafter such released lands or chattel property shall be held freed and discharged from any lien created by the said mortgage or by any of the Acts relating to the company in favour of the said bondholders.

Connections
with other
railways.

37. The Company may at any points on or near to its line of railway connect its tracks with the tracks of the Metropolitan Railway Company, the Toronto & Mimico Electric Railway and Light Company, Limited, the Hamilton Street Railway Company, the Hamilton Radial Electric Railway Company, the Hamilton, Grimsby and Beamsville Electric Railway Company, or any of the said companies, and for that purpose may construct or enter into an agreement if lawfully authorized to enter into such agreement with any of such companies with whose tracks such connection is made to construct all such works, turn-outs, switches and signals as may be necessary for the making and operating of such connection.

Agreements
with other
companies.

38. The Company may from time to time enter into agreements with any of the said railway companies with whose tracks it is by this Act authorized to connect its own tracks,
if

if lawfully authorized to enter into such agreements, for the following purposes :

- (a) For the making, maintenance and operation of such connections and of the works necessary therefor.
- (b) For the interchange of passenger and freight traffic between the companies party to the agreement, for the use by either company of property, buildings, plant, material, rolling stock, machinery, appliances and facilities of the other; for the supply of motive power, heat and light by either company to the other; and generally for services to be rendered by either company to the other.
- (c) For the making of running arrangements and the conduct of the joint traffic of the two companies ;
- (d) Generally for all matters and things incidental or conducive to the purposes in this section mentioned.
- (e) Any agreement entered into under the powers conferred by this section shall be upon terms to be approved of by two-thirds in value of the shareholders of the company at a special general meeting to be held for that purpose and every such agreement shall be valid and binding according to the terms and tenor thereof; but nothing in this or the preceding section shall be construed as purporting or intending to confer rights or powers upon any company which is not within the legislative authority of this Province.

39. The company shall have full power and authority. — Power houses
docks, etc.

(1) To purchase land for and erect power houses, warehouses, elevators, docks, stations, workshops and offices, and to sell and convey such land as may be found to be superfluous for any such purpose, and the company shall have power to hold as part of the property of the said company as many steam or other vessels as the directors of the company may deem requisite from time to time to facilitate the carriage of passengers, freight and other traffic in connection with the railway.

(2) To erect and maintain all necessary and convenient buildings, stations, depots, wharves and fixtures, and from time to time to alter, repair or enlarge the same, and to build, purchase and acquire engines, motors, carriages, wagons and other machinery and contrivances necessary or convenient for the working of the railway and the accommodation and the use of the passengers, freight and business of the Company. Erect
necessary
buildings,
wharfs, etc.

(3) To construct, maintain and operate works for the production of electricity for the motive power of the said railway, and for the lighting and heating the rolling stock and other property of the Company. Powers as to
production
and use of
electricity.

Lease or sell
electricity not
required for
railway.

Rev. Stat. c.
200.

(4) To sell or lease any such electricity not required for the purposes as aforesaid to any person or corporation, and the Company in that behalf shall, subject to the provisions and restrictions of this Act, possess the powers, rights and privileges and be subject to all the obligations and restrictions of joint stock companies incorporated under *The Act Respecting Companies for supplying Steam, Heat, Electricity or Natural Gas for Heat, Light or Power*, and to acquire and hold any property necessary for the purposes mentioned in this sub-section.

(5) To purchase the right to convey electricity required for the working of the railway and lighting or heating the same over, through or under lands other than the lands of the said railway, and with the consent of the councils of the municipalities affected, to purchase the right to lay conduits under, or erect poles and wires on or over such lands as may be determined by the Company, and along and upon any of the public highways, or across any of the waters in this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, or the conduits for such electricity upon and subject to such agreement in respect thereof as shall first be made between the Company and any private owners of the land affected, and between the Company and any municipality in which such works or any part thereof or of the railway may be situate, and under and subject to any by-law or by-laws of the council of such municipality passed in pursuance thereof.

All other
matters and
things neces-
sary for
railway.

(6) To construct, erect and make all other matters and things necessary and convenient for the making, extending and using of the railway in pursuance of and according to the meaning and intent of this Act.

Construction
on streets, etc.

40.—(1) The railway of the company shall not be constructed or operated on, upon, or along any street, highway or public place of any municipality until first authorized by an agreement in respect thereto made between the company and such municipality, and under and subject to the terms of such agreement and of this Act and of any by-law or by-laws of the council of any such municipality to be passed in pursuance thereof; and in all such cases any and every work, matter or thing in connection with electricity or other motor power, and the application and using thereof in so constructing, operating and working such railway, or the cars, carriages, engines, motors and machines aforesaid shall be so constructed, erected, laid down and arranged as to impede or incommode the public use of such street, highway or public place as little as possible, and so as not to be a nuisance thereto, nor to interfere with the free access to any house or other building erected in the vicinity of the same, and the electric and other appliances shall be of such an improved manufacture and so placed as to avoid as far as possible any danger to buildings or other property and provided that none of the works or property of the company

company shall be so constructed or placed as to injuriously interrupt navigation in any navigable water.

(2) The bylaws mentioned in section 1, sub-section 5 of the preceding section and in this section shall be subject to the conditions and provisions of section 632 of *The Municipal Act*. Rev. Stat. c. 223 s. 632.

41. Conveyances of lands to the company for the purposes of and powers given by this Act, made in the form set forth in Schedule B hereunder written, or to the like effect, shall be sufficient conveyance to the company, their successors and assigns, of the estate or interest therein mentioned and sufficient bar of dower, respectively, of all persons executing the same; and such conveyances shall be registered in the same manner and upon such proof of execution as is required under the registry laws of Ontario, and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof and certificates endorsed on the duplicates thereof. Conveyance of land to company.

42. The company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company and countersigned by the secretary or treasurer of the company and under the authority of a quorum of the directors shall be binding on the company; and every such promissory note or bill of exchange so made, accepted or endorsed shall be presumed to have been made, accepted or endorsed with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange; nor shall the president, vice-president or the secretary or treasurer be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority of the directors as herein provided and enacted; provided however that nothing in this section shall be construed to authorize the company to issue any promissory note or bill of exchange payable to bearer or intended to be circulated as money or as the notes or bills of a bank. Prom notes.

43. Subject to the provisions of this Act the rights, powers, privileges and franchises heretofore conferred upon the company by any general or special Act relating thereto shall continue to apply to the said company and the lines of railway heretofore constructed by them, but nothing in this Act contained shall affect any agreement heretofore entered into between the company and any municipal corporation. Powers, etc., to apply to extension.

44. The several clauses of *The Railway Act of Ontario*, numbers 8 to 20, 29, and 31 to 39, all inclusive, shall be incorporated with and be deemed to be part of this Act, and shall Incorporation of certain provisions of Rev. Stat., c. 207.

shall apply to the company and to the railways heretofore constructed or hereafter to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act," when used herein, shall be understood to include the said clauses of the said *Railway Act* and of every Act in amendment thereof so incorporated with this Act.

Rev. Stat., c.
209 s. 136 to
apply.

45. Section 136 of *The Electric Railway Act* shall apply to the operation of the railway of the company but save as aforesaid *The Electric Railway Act* shall not apply to the company or to the lines of railway constructed and operated or to be constructed and operated by them.

Steam not
to be used.

46. Steam shall not be used as the motive power for the operation of the railway of the said company.

Running of
freight cars
on public
highways.

47. The said company shall not run or operate freight cars or trains over the said extension so far as the same is carried along any public highway unless and until the consent of the corporation controlling such highway shall have first been obtained, nor until the size and number of cars and motors to be used, and the hours of running the same have first been approved by the Commissioner of Public Works of the Province of Ontario.

Rights of
agreements
with town of
Toronto Junction
preserved

48. The passage of this Act shall not give to the said company or its assigns any additional rights or powers in reference to its lines now or hereafter to be constructed within the limits of the Town of Toronto Junction, beyond those under the Acts in reference to the said company heretofore passed and the agreements thereby confirmed and the rights and powers of the corporation of the Town of Toronto Junction, under said last mentioned Acts, and said agreements thereby confirmed shall not be affected or curtailed by anything in this Act contained, nor shall the term of the franchise of said company, within the limits of the said town, be extended by reason of the passage of this Act, beyond the period fixed by said agreements, and their right to connect its tracks with the tracks of certain railways within the limits of the said town, as provided in sections 37 and 38, shall not be exercised without the consent of the municipal council of said town first had and obtained.

Time for com-
mencement
and
completion.

49. The extension hereby authorized shall be commenced within three years and finished and put in operation within five years after the passing of this Act, and in default thereof the powers hereby conferred shall absolutely cease with respect to so much of the railway as then remains incomplete.

SCHEDULE A.

(Section 27.)

CHIEF ENGINEER'S CERTIFICATE.

THE TORONTO SUBURBAN RAILWAY COMPANY'S OFFICE.

No. Engineer's Department, A.D. 19 .

Certificate to be attached to cheques drawn on The Toronto Suburban Railway Company Municipal Trust Account given under section , chapter , of the Acts of the Legislature of Ontario, passed in the year of Her Majesty's reign.

I, A. B. Chief Engineer of The Toronto Suburban Railway Company, do hereby certify that the said company has fulfilled the terms and conditions necessary to be fulfilled under the by-law No. , of the township of , (or under the agreement dated the day of between the Corporation of and the said company) to entitle the said company to receive from the said trust the sum of . (Here set out the terms and conditions, if any, which have been fulfilled).

SCHEDULE B.

(Section 41.)

Know all men by these presents that I (or we) (*insert the name or names of the vendor or vendors*) in consideration of dollars paid to me (or us) by The Toronto Suburban Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (*insert the name or names of any other party or parties*) in consideration of dollars paid to me (or us) by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels, as the case may be) of land (*describe the land*) the same having been selected and laid out by the said company for the purposes of its railway to hold with the appurtenances unto the said The Toronto Suburban Railway Company, their successors and assigns forever (*here insert any other clauses, covenants and conditions required*) and I (or we) the wife (or wives) of the said do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals) this day of one thousand nine hundred

Signed, sealed and delivered in the presence of

(L.S.)

CHAPTER 92.

An Act to incorporate The Windsor, Essex, and Lake Shore Rapid Railway Company.

Assented to 15th April, 1901.

Preamble.

WHEREAS William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry, all of the City of Windsor in the County of Essex and James Brien of the Town of Essex in the said County of Essex, have by their petition prayed for an Act of incorporation under the name of "The Windsor, Essex and Lake Shore Rapid Railway Company," for the purpose of constructing and operating an electric railway from some point in or near the City of Windsor in the County of Essex passing through the Townships of Sandwich West, Sandwich East, Sandwich South, Maidstone, Gosfield North, Gosfield South, and Mersea, the Towns of Essex and Leamington and the Village of Kingsville to a point in or near the unincorporated Village of Wheatley in the said Township of Mersea all in the County of Essex; and whereas it is expedient to grant the prayer of the said petition:—

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation.

1. William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry, all of the said City of Windsor, and James Brien of the said Town of Essex and such other persons and corporations as shall hereafter become shareholders in said company are hereby constituted a body corporate and politic under the name of "The Windsor, Essex and Lake Shore Rapid Railway Company."

Location of line.

2. The said company is hereby authorized and empowered to survey, lay out, construct, complete, alter, and keep in repair a double or single track railway with iron or steel rails to be operated by electricity from some point in or near the City of Windsor through the Townships of Sandwich West, Sandwich East, Sandwich South, Maidstone, Gosfield North, Gosfield South and Mersea, the Towns of Essex and Leamington and the Village of Kingsville to a point in or near the unincorporated Village of Wheatley in the said Township of Mersea all in the County of Essex, and the said railway, or any part thereof, may be carried along and upon such public highways (including highways separating any of said municipalities), as may be authorized by the by-laws of the respective corporations

tions having jurisdiction over the same and subject to the provisions and restrictions therein and in this Act contained and under and subject to any agreements made or hereafter to be made between the said company and the councils of any of the said corporations and between the company and the road companies (if any) interested in such highways; and the said company may make and enter into any agreements with any municipal corporation or road company as to the terms of occupancy of any street or highway subject to the provisions and conditions contained in this Act and in *The Municipal Act*, and any Act or Acts amending the same.

3. The said William G. Curry, William Newman, P. H. Fauquier, Charles F. Curry all of the said City of Windsor, and James Brien of the said Town of Essex with power to add to their number shall be and are hereby constituted a board of provisional directors of the said company and shall hold office as such until other directors shall be appointed under the provisions of this Act by the shareholders.

Provisional
directors.

4. All meetings of the provisional board of directors shall be held in the City of Windsor in the County of Essex, or at such other place as may best suit the interests of the said company.

Meetings of
company.

5. The capital stock of the company hereby incorporated shall be five hundred thousand dollars to be divided into five thousand shares of one hundred dollars each.

Capital stock.

6. The board of directors of the said company shall consist of not less than five and not more than nine directors who shall be elected in the manner and possess the qualifications prescribed by *The Electric Railway Act*.

Directors.

Rev. Stat.
c. 209.

7. The head office of the company shall be at the city of Windsor.

Head office.

8. The date of the annual meeting of the shareholders shall be fixed by the by-laws of the said company.

Annual meet-
ings.

9. The provisional directors, or the elected directors, may pay or agree to pay, in paid up stock or in the bonds of the said company, such sums as they may deem expedient to engineers or contractors, or for the right of way or material, plant or rolling stock, and also when sanctioned by a vote of the shareholders at any general meeting, for the services of the promoters, or other persons who may be employed by the directors for the purpose of assisting the directors in furthering the undertaking, or for the purchase of right of way, material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Payments in
stock or
bonds.

Tolls on fruit,
milk, etc.

10. The company may make special rates for the carriage of fruit, milk and other perishable goods.

Crossing cer-
tain lines at
grade.

11. Notwithstanding any provision to the contrary in any other Act the company's railway may cross the railway of any other company upon a level therewith with the consent of such other company or with the authority of the Railway Committee of the Privy Council of Canada.

Incorporation
of certain pro-
visions of Rev.
Stat. c.

12. The several clauses of *The Electric Railway Act*, and of every Act in amendment thereof, shall be incorporated with and be deemed to be part of this Act, and shall apply to the company and to the railway to be constructed by them, except only so far as they may be inconsistent with the express enactments hereof; and the expression "this Act" when used herein, shall be understood to include the clauses of the said *Electric Railway Act*, and of every act in amendment thereof so incorporated with this Act.

CHAPTER 93.

An Act respecting The Canadian Electro-Chemical Company, Limited.

Assented to 15th April, 1901.

WHEREAS The Canadian Electro-Chemical Company, Limited, was incorporated under the provisions of *The Ontario Companies Act* by Letters Patent under the Great Seal bearing date the 29th day of December, 1900, with the rights, powers and privileges in the said Letters Patent mentioned; and whereas for seven months prior to the said date, but after application for incorporation, the corporators of the said company were carrying on business under the name of The Canadian Electro-Chemical Company, Limited, said business being of the class referred to in the said Letters Patent; and whereas the said company has by petition prayed that the acts of the said corporation prior to the said 29th day of December, 1900, and subsequent to the said 26th day of May, 1900, in carrying on business as The Canadian Electro-Chemical Company, Limited, may be confirmed and legalized, and that the said Letters Patent of incorporation may be confirmed and that the said company may be authorized to engage in mining and other operations incidental thereto without thereby becoming subject to *The Ontario Mining Companies Incorporation Act*, and the other Acts of the Legislature of Ontario, and that the powers of the said company may be increased as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Rev. Stat.
c. 191.Rev. Stat.
c. 197.

Therefore, His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. The incorporation of The Canadian Electro-Chemical Company, Limited, on the 29th day of December, 1900, by Letters Patent set out in the schedule to this Act is confirmed, and declared to be legal and valid.

Incorporation
confirmed.

2. The carrying on business as The Canadian Electro-Chemical Company, Limited, by the corporators of the said company prior to the issue of the said Letters Patent is, and all acts done by the said corporators in carrying on the said business, are, legalized and declared to have been and to be

Carrying on
business be-
fore letters
patent issued
legalized.

be valid and binding upon the said company in the same manner and to the same extent as if the same had been carried on or done subsequent to the incorporation of the said company.

Corporators
relieved from
penalties.

3. The said corporators shall not be and shall not be deemed to have been, subject or liable to any penalties imposed or which may be imposed by or under any Act in force in this province by reason of their having carried on business as aforesaid under the name of the said company.

Rev. Stat. c.
197 s. 4 to apply
to company.

4. In addition to all other rights, powers and privileges conferred on the said company by the said Letters Patent of incorporation and by *The Ontario Companies' Act*, and amendments thereto, the said company shall have the powers mentioned and set out in section 4 of *The Ontario Mining Companies' Incorporation Act*, but save as aforesaid none of the provisions of *The Ontario Mining Companies' Incorporation Act* shall apply to or affect the said company.

Rev. Stat.
c. 197.

Powers to
subscribe for
shares in other
companies.

5. The company has, and has had, from the date of incorporation power to subscribe for, take, hold, or purchase the shares, stocks, bonds and debentures or other securities of any company heretofore or hereafter incorporated, having for its object or any of its objects the promotion of any of the objects which the said The Canadian Electro-Chemical Company, Limited, is authorized to carry out, or any objects ancillary thereto or connected therewith, and the said The Canadian Electro-Chemical Company, Limited, may advance money by way of mortgage, or otherwise, thereon, and may sell, assign, transfer, hypothecate or otherwise dispose of such shares, stocks, bonds, debentures or other securities; but nothing in this section contained shall authorize the said company to carry on the general business of a loan corporation within the meaning of *The Loan Corporations' Act*, and the said Act shall not apply to the said company.

Rev. Stat.
c. 205.

SCHEDULE A.

(Sgd.) O. MOWAT.

(Great Seal)

CANADA.

PROVINCE OF ONTARIO.

(Sgd.) J. M. GIBSON.

ATTORNEY-GENERAL.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., etc., etc.
To

TO ALL TO WHOM THESE PRESENTS SHALL COME.

GREETING.

Whereas *The Ontario Companies Act* provides that with the exceptions therein mentioned the Lieutenant-Governor of our Province of Ontario in Council may by Letters Patent under the Great Seal create and constitute bodies corporate and politic for any of the purposes or objects to which the legislative authority of the Legislature of Ontario extends.

And whereas by their petition in that behalf the persons herein mentioned have prayed for a charter constituting them a body corporate and politic for the due carrying out of the undertaking hereinafter set forth.

And whereas it has been made to appear to the satisfaction of our Lieutenant-Governor in Council that the said persons have complied with the conditions precedent to the grant of the desired charter and that the said undertaking is within the scope of the said Act.

Now therefore know ye that by and with the advice of the Executive Council of our Province of Ontario and under the authority of the herebefore in part recited Statute and of any other power or authority whatsoever in us vested in this behalf.

We do by these our Letters Patent create and constitute the persons hereinafter named, that is to say :

William W. Gibbs and Clayton E. Platt, both of the City of Philadelphia, in the State of Pennsylvania, one of the United States of America, Gentlemen, and Francis Hector Clergue and Bertrand Joseph Clergue, Manufacturers, and Henry Coulthard Hamilton, Barrister-at-Law, all of the Town of Sault Sainte Marie, in the District of Algoma and Province of Ontario and any others who have become subscribers to the Memorandum of Agreement of the Company and their successors respectively a corporation for the purposes and objects following, that is to say,

To manufacture, purchase, acquire, own, lease or hire, use, sell or otherwise dispose of, deal in and carry on a general business in alkalis, chemical and chemical-compounds or combinations of every kind and nature and howsoever produced and any and all electrical, hydraulic, mechanical or automatic machinery and devices and patent-articles and also all minerals, metals and metallic-compounds and other articles of a similar nature, and to license and permit others to deal in the same under royalties or otherwise.

The corporate name of the Company to be The Canadian Electro-Chemical Company, Limited.

The share capital of the Company to be one hundred thousand dollars divided into one thousand shares of one hundred dollars each, the head office of the Company to be at the said Town of Sault Sainte Marie and the provisional directors of the Company to be William W. Gibbs, Clayton E. Platt, Francis Hector Clergue, Bertrand Joseph Clergue and Henry Coulthard Hamilton, hereinbefore mentioned.

In testimony whereof we have caused these our letters to be made patent and the Great Seal of our Province of Ontario to be hereunto affixed.

Witness : The Honourable Sir Oliver Mowat, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Member of Our Privy Council for Canada and Lieutenant-Governor of Our Province of Ontario.

At Our Government House, in Our City of Toronto, in Our said Province, this twenty-ninth day of December, in the year of Our Lord one thousand nine hundred and in the sixty-fourth year of our reign.

By Command.

(Sgd.) J. R. STRATTON,
Provincial Secretary.

CHAPTER 94.

An Act to amalgamate The Continental Life Insurance Company and The Farmers' and Traders' Life and Accident Assurance Company, Limited.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Continental Life Insurance Company and The Farmers' and Traders' Life and Accident Assurance Company, Limited, have by their Petition prayed for an Act amalgamating their companies into one company and corporation with the powers and privileges hereinafter mentioned and whereas it is expedient to grant the prayer of the said Petition ;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Interpretation

1. In the interpretation of this Act unless the context shall require a different interpretation the words "The New Company" shall mean the company hereby incorporated. The words "The Companies hereby amalgamated" shall mean The Continental Life Insurance Company (as that Corporation heretofore existed) and The Farmers' and Traders' Life and Accident Assurance Company, Limited.

Companies amalgamated.

2. The said The Continental Life Insurance Company, and The Farmers' and Traders' Life and Accident Assurance Company, Limited, are hereby amalgamated and united, constituted and declared to be a body corporate and politic under the name of The Continental Life Insurance Company, and from and after the passing of this Act the said new company shall, by virtue hereof, be entitled as from the passing hereof to be licensed and registered under *The Ontario Insurance Act, 1897*, by the said corporate name for the unexpired portion of the then current license year and registry year respectively for the transaction of life insurance; and the companies hereby amalgamated shall as from the passing hereof cease to do business and shall cease to be licensed and registered under the said Act, and each of the companies hereby amalgamated shall be deemed to have been from the passing hereof dissolved, provided nevertheless that sections 184 to 195, inclusive, of *The Ontario Insurance Act, 1897*, relating to the liquidation of insurance corporations shall not apply to the companies so dissolved.

Rev. Stat.
c. 203.

3. The Indenture of Agreement between the companies hereby amalgamated bearing date the second day of January, 1901, and set out in Schedule "A" to this Act is hereby authorized, ratified and confirmed and the union thereby effected and all the terms thereof are hereby declared to be lawful, valid and operative to the same extent and in the same manner as if the several clauses of the said Indenture of Agreement were set out and enacted as part of this Act, save and except that article 8 of the said agreement is hereby amended by changing the capital stock of the new company from two million dollars divided into twenty thousand shares of one hundred dollars each, to one million five hundred thousand dollars divided into fifteen thousand shares of one hundred dollars each.

Agreement confirmed.

4. All the rights, claims, property, estate and effects of each of the companies hereby amalgamated are hereby vested in the new company subject to the provisions of this Act, and the new company shall be entitled to sue or otherwise proceed for the recovery of such rights, claims, property, estate and effects in the name of the new company as fully as either of the companies hereby amalgamated might do if this Act had not been passed.

Rights and property of amalgamated companies vested in the new company.

5. The creditors of each of the companies hereby amalgamated shall be to all intents and purposes creditors of the new company and shall have the same rights, privileges and remedies against the new company as they would have had against either of the companies hereby amalgamated had this Act not been passed.

Rights of creditors.

6. Each holder of a policy or contract of insurance in either of the companies hereby amalgamated shall be to all intents and purposes a holder of such policy or contract of insurance in the new company, and every such holder of or other person entitled under a policy or contract of insurance in either of the Companies hereby amalgamated shall have the same rights, privileges and remedies against the new company thereunder as he would have had against either of the companies hereby amalgamated had this Act not been passed; and every existing policy or contract of insurance heretofore issued by either of the companies hereby amalgamated shall as between the holder thereof or other person entitled thereunder and the new company, be and continue to be subject to the same terms and conditions as would have affected the same had the company by which the same was issued not been amalgamated hereby.

Rights of policy holders in Amalgamated Companies.

7. No suit, action or proceeding by or against either of the Companies hereby amalgamated shall be discontinued or abated by or on account of such amalgamation, but shall continue as if this Act had not been passed, and the new company shall pay or receive like costs as if the action, suit or proceeding

Suits by or against Companies not abated.

proceeding had been commenced or been defended in the name of the new company.

Directors of
the new
company.

8. The directors named in article 9 of the Indenture of Agreement, Schedule "A" hereto who shall be living at the time this Act shall come into force shall be the first directors of the new company.

Deposit.

9. The deposit required to be made by the new company under the provisions of *The Ontario Insurance Act*, shall consist of so much as is necessary of the combined deposits made under the said Act by the companies hereby amalgamated, and the new company shall be entitled to receive so much of the said combined deposits as shall be in excess of the amount required to be deposited by the new company under the provisions of the said Act, but thereafter the adjustment and amount of the new company's deposit shall from time to time conform to and be regulated by the provisions of the said Act relating to such deposits or any general insurance law relating to deposits by insurance companies.

Registration
of Instru-
ments.

- (1) Rev. Stat.
c. 138.
- (2) Rev. Stat.
c. 136.
- (3) Rev. Stat.
c. 148.

10. For the purposes of the *Land Titles Act* or of registration under the *Registry Act* or of the *Bills of Sale and Chattel Mortgage Act* or any other Act of the Province it shall be sufficient in order to show the transmission of title from either of the companies hereby amalgamated if any instrument affecting lands or interest in lands or personal property or interests in personal property included or intended to be included in the amalgamation aforesaid, recite or mention the title of this Act and the chapter and statute year in which this Act was passed.

SCHEDULE A.

This indenture made in triplicate this second day of January, 1901.

Between The Continental Life Insurance Company, of the one part, The Farmers' and Traders' Life and Accident Assurance Company, Limited, of the other part. The said companies being hereinafter referred to as the companies hereby amalgamated.

Whereas the companies hereby amalgamated are corporations incorporated, licensed and registered under the provisions of the *Ontario Insurance Act*.

And whereas the companies hereby amalgamated have agreed that the amalgamation of the said corporations is in the best interest of the policy holders of the said corporations as well as of the shareholders of the said corporations.

And whereas the terms and conditions hereinafter set forth have been adopted by the Board of Directors of each of the companies hereby amalgamated and have been approved, ratified and confirmed by a general meeting of the shareholders of each of the companies hereby amalgamated.

And whereas it is necessary that this indenture and the said amalgamation should be authorized, ratified and confirmed by the Legislature of the Province of Ontario;

Now therefore this indenture witnesseth that the parties hereto do hereby agree each with the other as follows, that is to say:

ARTICLE 1.

Upon the authorization and confirmation hereof by the passing of an Act in that behalf by the Legislature of the Province of Ontario this indenture shall come into effect and the companies hereby amalgamated shall become united and amalgamated and shall form a new corporation under the name of The Continental Life Insurance Company hereinafter called "The New Company," which company shall have a common seal and shall possess all rights, privileges and franchises of each of the companies hereby amalgamated.

ARTICLE 2.

All the rights, claims, property, estate and effects of each of the companies hereby amalgamated are hereby vested in the new company subject to the provisions of this indenture, and the new company shall be entitled to sue or otherwise proceed for the recovery of such rights, claims, property, estate and effects in the name of the new company as fully as either of the companies hereby amalgamated might do if this indenture had not been made.

ARTICLE 3.

The creditors of each of the companies hereby amalgamated shall be to all intents and purposes creditors of the new company and shall have the same rights, and privileges against the new company as they would have had against either of the companies hereby amalgamated had this indenture not been made.

ARTICLE 4.

Each holder of a policy or contract of insurance in either of the companies hereby amalgamated shall be to all intents and purposes a holder of such policy or contract of insurance in the new company, and every such holder of or other person entitled under any policy or contract of insurance in either of the companies hereby amalgamated shall have the same rights and privileges against the new company thereunder as he would have had against either of the companies hereby amalgamated had this indenture not been made; and every existing policy or contract of insurance heretofore issued by either of the companies hereby amalgamated shall as between the holder thereof or other person entitled thereunder and the new company be and continue to be subject to the same terms and conditions as would have affected the same had the company by which the same was issued not been amalgamated hereby.

ARTICLE 5.

No suit, action or proceeding by or against either of the companies hereby amalgamated shall be discontinued or abated by or on account of such amalgamation but shall continue as if this indenture had not been made, and the new company shall pay or receive like costs as if the action, suit or proceeding had been commenced or been defended in the name of the new company.

ARTICLE 6.

The chief place of business of The New Company shall be in the City of Toronto unless and until changed pursuant to the provisions of the Ontario Insurance Act, 1897.

ARTICLE 7.

The By-laws of the Continental Life Insurance Company heretofore in force shall govern The New Company (except so far as the same may be altered by any of the terms of this indenture and except so far as the same are inconsistent with or repugnant to the provisions of the Ontario Insurance Act 1897) until the said by-laws are altered or changed or new by-laws are passed by the directors of the new company.

ARTICLE 8.

The authorized capital stock of the new company shall be two million dollars divided into twenty thousand shares of one hundred dollars each ; and the paid up capital of the new company as at the date of this indenture has been ascertained and fixed at the sum of \$63,891.64, and the schedule hereto annexed sealed with the corporate seal and signed by the secretary of each of the companies hereby amalgamated contains the names and addresses of all the shareholders of the new company, the number and amount of shares of capital stock of the new company held by each and the amount paid in thereon by each of the said shareholders.

ARTICLE 9.

The first directors of the new company shall be :—

Name.	Address.
Hon. John Dryden, M.P.P.	Toronto, Ont.
Emerson Coatsworth, Jr.	“ “
Henry Cargill, M.P.	Cargill, “
Richard S. Williams	Toronto, “
A. F. Maclaren, M.P.	Stratford, “
J. W. Scott	Listowel, “
W. Vandusen	Tara, “
G. T. Somers.	Beeton, “
John B. Reid.	Toronto, “
Angus McKay, M.D., M.P.P.	Ingersoll, “
H. Wilberforce Aikins, M.D.	Toronto, “

who shall hold office until their successors are elected and qualified pursuant to the by-laws of the new company.

The persons holding the respective offices of president, vice-presidents, general manager and secretary of the Continental Life Insurance Company at the passing of the Act confirming this indenture shall be the first president, vice-presidents, general manager and secretary respectively of the new company.

ARTICLE 10.

A duplicate original of this indenture, together with the schedule of shareholders of the new company referred to in article 8 hereof, shall be filed by the new company in the office of the Inspector of Insurance for the Province of Ontario forthwith after the passing of the Act confirming this indenture.

In witness whereof the said companies hereby amalgamating have affixed their respective corporate seals by the hands of the president and secretary of the Continental Life Insurance Company, and the president and managing director of the Farmers' and Traders' Life and Accident Assurance Company, Limited.

Signed, sealed and delivered in triplicate on the day and year first above mentioned in the presence of

"JNO. DRYDEN,"
President.

"CHAS. H. FULLER,"
Secretary.



"A. MCKAY,"
President.

"F. MCGILL."

"GEO. B. WOODS,"
Man. Director.



CHAPTER 95.

An Act to amend the Act incorporating The Midland Land Company.

Assented to 15th April, 1901.

WHEREAS The Midland Land Company has petitioned Preamble.
that an Act may be passed to amend the Act incorporating the said company, being the Act passed in the 35th year of the reign of Her late Majesty Queen Victoria chaptered 97, and the Act amending the same, being the Act passed in the 45th year of the reign of Her late Majesty Queen Victoria, chaptered 77, so as to extend the period for which lands may be held by the said company; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The period at the expiration of which the portion of the lands of the said company not actually sold or disposed of shall revert to and become the property of His Majesty and his successors is extended for fifteen years from the passing of this Act. Extension period for which lands may be held.

2. All sales of any portion of the lands of the company made by them since 9th March, 1897, shall be as valid and effectual in all respects as if they had been made before the said date. Sales since 9th March, 1897, confirmed.

CHAPTER 96.

An Act respecting the Peoples' Life Insurance Company.

Assented to 15th April, 1901.

Preamble.

WHEREAS the Peoples' Life Insurance Company have by their petition prayed that an Act may be passed to amend their Act of Incorporation, passed in the 55th year of the reign of Her late Majesty Queen Victoria, chaptered 102 (as amended by an Act passed in the 57th year of the said reign, chaptered 99), so as to authorize the Company, for the better security of its policy-holders, to issue debenture stock and to convert the existing debentures of the Company into debenture stock; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Issue of Debenture Stock.

1. The Board of Directors may from time to time issue debenture stock in such amounts and manner, on such terms and bearing such rate of interest and in such currency, as the directors from time to time think proper, but the amount borrowed at any one time on the security of debenture stock shall not, unless with the consent previously obtained of the Lieutenant-Governor in Council, exceed in the whole the sum of \$250,000.

Exchange of debentures for debenture stock.

2. The holders of any debentures of the Company may, with the consent of the directors, at any time exchange any of such debentures for debenture stock.

Rights of holders of debenture stock redemption.

3. The debenture stock to be issued under the authority of this Act shall not (except as provided in section 4 hereof) confer on or imply in any holder of the said debenture stock the right to require repayment of the principal money paid up in respect of the debenture stock; but the Company shall be entitled at any time and from time to time, on giving six months' notice in writing to the last known address of the holder, or on giving a bonus equivalent to six months' interest at the rate *per centum* stated in the certificate, to redeem any or all of the debenture stock which shall have been in force for at least five years by paying to the holder the principal money paid up in respect of such debenture stock together with interest (if any) due and unpaid at the date of such redemption.

4. The debenture stock of the Company shall rank equally with the debentures issued by the Company, and the holders of debenture stock shall not thereby become liable or answerable for any debts or liabilities of the Company; and in case of a liquidation of the Company or other distribution of its assets the holders of debenture stock, for arrears of interest (if any) and for the principal money paid up in respect of such debenture stock, shall rank with debenture holders (if any), and next after creditors who, as provided in sub-section 4 of section 191 of *The Ontario Insurance Act*, are entitled to claim under any policies of the Company.

Debenture
stock how
ranked.

Rev. Stat.
c. 203.

5. The Company shall cause entries of the debenture stock from time to time issued to be made in a register to be known as the Debenture Stock Register, and to be kept for that purpose at the head office of the Company, wherein shall be entered the names and addresses of the several persons and corporations from time to time entitled to the debenture stock, with the respective amounts of the debenture stock to which they are respectively entitled.

Register of
debenture
stock.

6. The debenture stock of the Company shall, when fully paid up, be transferable in such amounts and in such manner as the directors may determine, and all transfers of the debenture stock of the Company shall be registered at the head office of the Company, but the Company may have transfer books for the purpose of such debenture stock at such place or places without the Province where transfers of the said stock may be made; but all such transfers shall be entered in the book to be kept at the head office of the Company.

Transfer of
debenture
stock.

7. The Company shall deliver to every holder of debenture stock a certificate stating the amount of the debenture stock held by him and the rate of interest payable thereon.

Certificates of
debenture
stock.

8. Section 4 of the said chapter 102, passed in the 55th year of the reign of Her late Majesty Queen Victoria, is amended by inserting after the word "right" in the first line of the said section the words "debenture stock or."

55 Vic. c. 102,
s. 4, amended.

9. Sub-section 1 of section 5 of the said chapter 102 is amended by inserting after the words "each holder of" in the first line of the said sub-section the words "debenture stock or"; and the said sub-section is further amended by inserting after the words and figures "every \$100 of" in the third line of the said sub-section the words "debenture stock or."

55 Vic. c. 102,
s. 5 (1) amend-
ed.

10. Section 9 of the said chapter 102 is amended by inserting after the word "right" in the fourth line of the said section the words "debenture stock or."

55 Vic. c. 102,
s. 6, amended.

55 Vic. c. 102,
s. 12, as
amended by
57 Vic. c. 99
s. 1, further
amended.

11. Section 12 of the said chapter 102, as amended by section 1 of the said Act, passed in the 57th year of the reign of Her late Majesty Queen Victoria, chaptered 99, is further amended by striking out the words "the whole of the assets of the Company being held liable to pay the same at maturity" in the eighth and ninth lines of the said section.

55 Vic. c. 102,
s. 13 (2)
amended.

12. Sub-section 2 of section 13 of the said chapter 102 is amended by striking out the figures "\$1,000,000" in the fifth line of the said sub-section and inserting the figures "\$2,000 000" in lieu thereof.

Rights of
present debenture
holders
preserved.

13. Nothing in this Act shall be held to prejudice or affect the rights of holders of debentures now outstanding.

CHAPTER 97.

An Act respecting The St. Thomas Cemetery Company.

Assented to 15th April, 1901.

Preamble.

WHEREAS The St. Thomas Cemetery Company has by petition prayed for an Act authorizing the said company to purchase and use as an addition to the present cemetery, a portion of land adjoining the said cemetery on the south and south easterly sides thereof, owned by the Walker Estate and containing about three acres, more or less; and whereas the said parcel of land, although within the said City of St. Thomas, is in close proximity to the southerly limits thereof, and situate between the present cemetery and such limits, and is removed from the residential portion of the said city; and whereas no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition;

Purchase of
additional
lands
authorized.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The St. Thomas Cemetery Company is authorized and empowered to purchase for an addition to the said cemetery, and use as a burial ground, that portion of land, owned by the Walker Estate, adjoining the present cemetery on the south and south easterly sides thereof, containing about three acres, more or less, and more particularly described as follows:—All and singular that certain parcel or tract of land and premises situate, lying, and being in the City of St. Thomas, in the County of Elgin and Province of Ontario, being composed of part of lot number two in the eighth concession of the Township of Yarmouth, part of the unsubdivided portion of lot number three in the eighth concession of the said township, and lots numbers twenty-seven, twenty-six, twenty-five, twenty-four and parts of lots twenty-three and letter "S" in that block of lots south of Ada Street and west of Wilson Avenue, as shown on a plan of the subdivision of part of the south part of lot number three in the eighth concession of Yarmouth, registered in the registry office for the County of Elgin, containing by admeasurement three acres more or less and more particularly described as follows:—Commencing at the north east angle of said lot twenty-seven in the block south of Ada Street and west of Wilson Avenue thence westerly along the southerly limit of the said Ada Street two chains and eighty-three links to the easterly limit of lot "C" west of West Avenue, thence south easterly along the said easterly limit of lot "C" to the south east angle of said lot "C," thence south seventy-three degrees and twenty minutes west along the southerly limit of said lot "C" and the same produced to the easterly limit of the London and Port Stanley Gravel Road, thence southerly along the easterly limit of said road to the northerly limit of the right of way of the Lake Erie and Detroit River Railway, thence easterly along the northerly limit of said right of way to the east limit of lot twenty-three in the block south of Ada Street and west of Wilson Avenue, thence northerly along the east limit of lots twenty-three, twenty-four, twenty-five, twenty-six and twenty-seven in the said block to the place of beginning.

Purchase of
part of
Walker estate
authorized.

2. The said cemetery company is authorized and empowered to sell and absolutely dispose of that portion of land now owned and held by the said company for cemetery purposes, but which has never been used for such purposes, and described as Block "D" forming part of Lot Number Two in the Eighth Concession of the Township of Yarmouth, according to a plan and survey made by Daniel Hanvey, Provincial Land Surveyor, and the said lands may be sold either by public auction or private sale as the directors of the said company deem most advisable, and the proceeds of such sale shall form part of the general funds of the said company.

Cemetery
company
authorized to
sell part of the
present
cemetery.

CHAPTER 98.

An Act respecting The Welland-Vale Manufacturing Company, Limited.

Assented to 15th April, 1901.

Preamble.

WHEREAS The Welland-Vale Manufacturing Company, Limited, a company incorporated by Letters Patent on the 21st day of October, 1873, under the provisions of *The Ontario Joint Stock Companies Letters Patent Act*, (hereinafter called the Company) has by petition prayed that an Act may be passed confirming By-law No. 1,421 of the Corporation of the City of St. Catharines, passed on the 28th day of February, 1901, intituled "A By-law to authorize The Welland-Vale Manufacturing Company (Limited), to assign to The Welland-Vale Manufacturing Company (Limited), a new company, the benefits granted by a certain By-law of this Corporation," and an agreement bearing even date therewith, between the said municipal corporation and the Company, which by-law and agreement are respectively set out in Schedules "A" and "B" to this Act; and whereas the said Corporation of the City of St. Catharines is an assenting party hereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

By-law 1,421
of the City of
St. Cathar-
ines con-
firmed.

1. By-law No. 1,421 of the Corporation of the City of St. Catharines, passed on the 28th day of February, 1901, intituled "A By-law to authorize The Welland-Vale Manufacturing Company (Limited) to assign to The Welland-Vale Manufacturing Company (Limited), a new company, the benefits granted by a certain By-law of this Corporation," and the agreement bearing even date therewith, made between the said municipal corporation and the Company, and set out respectively as Schedules 'A' and "B" to this Act, are confirmed and validated.

City and new
company em-
powered to
enter into an
agreement.

2. It shall be lawful for the Corporation of the City of St. Catharines and the said new company to enter into an agreement that the said new company shall accept, perform, observe and abide by all the terms, conditions, provisoes and stipulations made and contained in By-law No. 1,304 of the Corporation of the City of St. Catharines, and in the agreement between

tween the said municipal corporation and the Company dated the 25th day of June, 1900, in the same manner, as nearly as may be, as though the said last mentioned agreement had been made between the said municipal corporation and the said new company.

3. The carrying on of a saw manufacturing business by the Company at the City of St. Catharines subsequent to the 20th day of August, 1900, is declared not to have been a breach of the said agreement between the Company and the Corporation of the City of St. Catharines, dated the 25th day of June, 1900; nor shall the carrying on hereafter of the said saw manufacturing business by the Company or by the said new company in the event of the said new company acquiring the rights of the Company, as in the agreement and by-law set out in Schedules "A" and "B" hereto provided, be deemed to be a breach of the said agreement of the 25th day of June, 1900.

Permission to
carry on saw
manufactur-
ing.

SCHEDULE A.

BY-LAW No. 1,421.

A by-law to authorize The Welland-Vale Manufacturing Company (Limited) to assign to The Welland-Vale Manufacturing Company (Limited) a new company, the benefits granted by a certain by-law of this corporation.

Whereas by a by-law of the corporation of the city of St. Catharines (hereinafter called the corporation) duly passed on the twentieth day of August, 1900, and numbered 1,304, the corporation did grant to The Welland-Vale Manufacturing Company (Limited) (hereinafter called the company) certain aid by way of bonus to the extent and amounts therein mentioned.

And whereas the said by-law before being passed by the council of the corporation had received the legally required majority of the votes of the qualified electors of the city of St. Catharines, at a voting taken thereon pursuant to the provisions of the Municipal Act on the 18th day of July, 1900.

And whereas since the passing of the said by-law, a company has been created by Letters Patent under the Great Seal of Ontario bearing date the 7th day of February, 1901, also called the Welland-Vale Manufacturing Company (Limited) (hereinafter called the new company) having extended powers and a larger capital stock, for the purpose among others and with the object of taking over the property and assets of the company and continuing and enlarging the manufacturing business heretofore and now carried on by the company at the city of St. Catharines.

And whereas the new company has not yet been organized for the commencement of business pursuant to Section 16 of *The Companies Act*.

And whereas it is desirable and expedient that the benefits and advantages granted to the company by the said by-law number 1304 should enure to the new company and that the company should be authorized and empowered to grant and assign to the new company and that the new company should be authorized to acquire and enjoy all the benefits and advantages by the said by-law granted to or conferred upon the company, subject to all the terms, conditions, provisos and stipulations made and contained in the said by-law and in a certain agreement there-

in

in referred to, executed by and between the corporation and the company bearing date the 25th day of June, 1900.

And whereas at the time of the passing of said by-law number 1304 and the execution of said agreement the company was engaged in the manufacture of saws at a site on the southerly side of St. Paul Street in the city of St. Catharines and the buildings used by the company for said purpose have since been destroyed by fire.

And whereas the new company intends to continue the manufacture of saws with its other business on its site and premises near Lock Number 2 on the Old Welland Canal and it is desirable to make it plain and clear that under the terms and provisions of the said by-law and agreement the company were not to be prevented or restrained and that the new company shall not be prevented or restrained from the manufacture of saws in the city of St. Catharines.

Therefore the council of the corporation of the city of St. Catharines enacts as follows :

1. That the company is hereby authorized to grant and assign to the new company so soon as the new company shall be organized for the commencement of business under the provisions of the Ontario Companies' Act and the new company is hereby authorized to take over and enjoy all the benefits, advantages and exemptions granted to or conferred upon the company by said by-law number 1304 of this corporation passed on the 20th day of August, 1900, subject to all the terms, conditions, provisos and stipulations made and contained in said by-law and in a certain agreement referred to in said by-law and relating thereto executed by and between the corporation and the company bearing date the 25th day of June, 1900.

Provided that the new company shall complete its organization for the commencement of business within one month after the prorogation of the present session of the Legislative Assembly of Ontario, and that the said grant and assignment by the company to the new company shall be made and effected within one week after such organization.

And further provided that the new company shall contemporaneously with the said grant and assignment to it by the company enter into an agreement under its corporate seal with the corporation to perform, observe and abide by all the terms, conditions, provisos and stipulations of the said by-law number 1304 and of the said agreement referred to therein and relating thereto bearing date the 25th day of June, 1900.

2. That it was not intended in and by the said agreement of the date of the 25th day of June, 1900, to prevent or restrict the company from the manufacture of saws in the city of St. Catharines and that so far as this corporation is concerned the said agreement shall not be held to intend or mean that the new company shall be prevented or restricted in the manufacture of saws in the city of St. Catharines provided only that if the new company shall engage in the manufacture of saws at or in connection with the present site or business of the company near Lock 2 on the Old Welland Canal, the amounts paid by the new company in wages to its operatives and workmen in connection with that department of its business shall be kept separate and distinct and shall not be considered as forming any part of the amount required under the terms of said agreement to be paid for wages to its employees and workmen.

3. The mayor is hereby empowered on behalf of this corporation to execute and deliver an agreement bearing date the 28th day of February, 1901, by and between the corporation and the company for the purpose of carrying into effect the objects and purposes of this by-law.

4. That neither this by-law nor the agreement referred to in the preceding paragraph hereof shall have any force or effect until confirmed and validated by Act of the Legislative Assembly of the Province of Ontario.

Passed this 28th day of February, 1901.

(Signed) J. B. MCINTYRE,

Mayor.

(Signed) JNO. S. MCCLELLAND,

City Clerk.

[Seal]

Corporation of St. Catharines, Ont.

SCHEDULE

SCHEDULE B.

This agreement made the twenty-eighth (28) day of February, one thousand nine hundred and one, between the Corporation of the City of St. Catharines hereinafter called the "Corporation," of the first part, and The Welland Vale Manufacturing Company, Limited, hereinafter called the "Company," of the second part.

Whereas the corporation on the 20th day of August, 1900, duly passed a By-law entitled "A By-law to aid by way of bonus The Welland-Vale Manufacturing Company, Limited";

And whereas the corporation and company duly entered into an agreement bearing date the 25th day of June, 1900, in connection therewith;

And whereas since the passing of said by-law and execution of said agreement a new company has been incorporated under the name of "The Welland Vale Manufacturing Company, Limited," pursuant to the provisions of *The Ontario Companies Act*, with power to acquire and take over the assets, rights and privileges of the company and to assume the obligations and liabilities thereof;

And whereas doubts have arisen as to whether the company can legally transfer to the new company the rights and privileges granted to the company by said by-law and agreement;

And whereas since the passing of the said by-law and agreement the saw manufacturing premises owned and operated by the company prior to the passing thereof in the rear of St. Paul Street in the city of St. Catharines have been destroyed by fire;

And whereas the company desires to consolidate the said businesses on the premises of the company near Lock 2, Old Welland Canal, and it is desirable to make it plain and clear that under the terms and provisions of the said by-law and agreement the company was not to be restricted in the right to continue the manufacture of saws and to consolidate their business on the said premises near Lock 2: if they so desired;

And whereas the corporation has by by-law No. 1421 passed on the 28th day of February, 1901, authorized the execution of this agreement;

Now this agreement witnesseth that in consideration of the premises and of the sum of one dollar paid by the company to the corporation (the receipt whereof is hereby acknowledged) the corporation agrees with the company that the latter may, if it so desires, assign, transfer and set over unto the new company all the benefits, exemptions, privileges and advantages possessed by, and all sums of money due or to become due to the company under the said by-law and agreement or under this agreement;

Provided however that the said new company shall contemporaneously with the assignment to it, enter into an agreement under seal with the corporation agreeing to observe and abide by all the conditions and stipulations in the said by-law and agreement and in this agreement contained and to be bound by the same in as full and ample a manner as the said company is bound;

And the said corporation hereby declares that it was not intended in and by the said agreement of the 25th day of June, 1900, to prevent or restrict the company from the manufacture of saws in the city of St. Catharines and that so far as the corporation is concerned the said agreement shall not be held to intend or mean that the new company shall be prevented or restricted in the manufacture of saws in the city of St. Catharines;

Provided however and the company hereby agrees with the corporation that in the event of the company engaging in the manufacture of saws at or in connection with the present site or business of the company near Lock No. 2 Old Welland Canal, the wages paid to men employed solely in connection with the said saw business shall not be considered as forming any part of the amount required to be expended by the company under the terms of the said agreement and by-law, and the company

undertakes and agrees to keep a separate and distinct account in its books of the wages, expended in connection with the said saw manufacturing business.

Provided further that this agreement shall have no force or effect until it or the by-law authorizing its execution is confirmed by Act of the Legislative Assembly of the Province of Ontario.

In witness whereof this agreement has been executed.

Signed, sealed and delivered in the presence of,

"GEORGE A. ALLAN.

(Signed)

GEO. A. ALLAN.

(Signed)

J. B. MCINTYRE, Mayor.

[Seal] Corporation of St. Catharines.

(Signed)

WM. CHAPLIN, President,

Welland Vale Manf. Co., Limited.

[Seal] Welland Vale Manufacturing Company, St. Catharines.

CHAPTER 99

An Act respecting The Windsor Bent Goods Company, Limited.

Assented to 15th April, 1901.

Preamble.

WHEREAS The Windsor Bent Goods Company, Limited, has by its petition prayed that an Act may be passed to enable the said The Windsor Bent Goods Company, Limited, to sell and convey to the Windsor Turned Goods Company, Limited, all their property and assets, rights and credits, including the good will, and the rights, benefits and privileges granted to them the said The Windsor Bent Goods Company, Limited, by the Municipal Corporation of the City of Windsor under By-Law No. 1002 of the said City, and to confirm an agreement for the said purposes made between the said companies, and to permit the said Windsor Turned Goods Company, Limited, to take over the said property, assets, good will and benefits under the said by-law and to assume all the liabilities and obligations of the said The Windsor Bent Goods Company, Limited, and whereas the Corporation of the City of Windsor has not objected to the granting of the prayer of the said petition; and whereas it is expedient to grant the prayer of the petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Transfer to
Windsor
Turned Goods
Co. authorized

1. The said The Windsor Bent Goods Company, Limited, is authorized and empowered to sell, assign, transfer and convey to the Windsor Turned Goods Company, Limited, their successors

successors and assigns, all their property, assets, rights and credits, including the good will, and the benefits granted to them the said The Windsor Bent Goods Company, Limited, by the Corporation of the said City of Windsor, under the by-law aforesaid.

2. The agreement entered into by and between The Windsor Bent Goods Company, Limited, and the Windsor Turned Goods Company, Limited, dated the second day of January, 1901, and set forth as Schedule "A" to this Act, is ratified and confirmed and declared to be binding upon the parties thereto, their successors and assigns.

Agreement
between the
companies
confirmed.

3. The said Windsor Turned Goods Company, Limited, their successors and assigns, are authorized and empowered to accept such transfer and to take over and enjoy the said property, assets, good will, and the rights, benefits and privileges granted by said By-Law No. 1002, of the said City of Windsor, and to assume all the liabilities and obligations of the said The Windsor Bent Goods Company, Limited, as between The Windsor Bent Goods Company, Limited, and Windsor Turned Goods Company, Limited.

Turned Goods
Co. authorized
to accept
transfer.

4. Upon such transfer being made to the said the Windsor Turned Goods Company, Limited, the said Company, its successors and assigns shall enjoy such rights, benefits and privileges granted by the said by-law as fully and effectually as if they had been originally named therein, and in the same manner shall be bound to perform and observe all the conditions and obligations imposed by the said by-law or otherwise upon The Windsor Bent Goods Company, Limited.

Substitution
of new com-
pany in by-law
of City of
Windsor.

5. Notwithstanding anything in this Act contained the rights of the Corporation of the City of Windsor under the said By-law No. 1002 or otherwise shall be in no way affected or prejudiced.

Act not to
affect city's
rights under
by-law No.
1002.

SCHEDULE A.

This agreement made in triplicate this second day of January, one thousand nine hundred and one, between The Windsor Bent Goods Company, Limited, and Joseph Findlay, James Samson, Thomas Watson, Robert Pinchin, A. W. Davidson and Oscar E. Fleming, of the first part, and Windsor Turned Goods Company, Limited, of the second part.

Whereas the said The Windsor Bent Goods Company, Limited, was duly incorporated under *The Ontario Companies' Act* by Letters Patent bearing date the 11th day of May A.D. 1899, for the purposes following, to wit:—To manufacture and deal in bent goods, hubs, spokes, wheels, lumber and wood turning, and immediately thereafter began to carry on and have since carried on such business in the City of Windsor in the County of Essex.

And

And whereas by reason of the growth of the said business it became necessary to enlarge the plant and premises of the said company, but the capital stock having been by the said letters patent fixed at the sum of \$20,000 only, it was insufficient for such purposes and the said company concluded to increase its capital stock so as to make the necessary enlargement and extension.

And whereas subsequent to the decision to increase the capital stock as aforesaid, and prior to the making of this agreement the said enlargement and extension have been proceeded with and large sums expended, but by reason of such insufficiency of capital the money required for such enlargement and extension has been advanced to the said company by the individuals named with the said company as parties of the first part hereto.

And whereas the Windsor Turned Goods Company, Limited, of the second part hereto is a company duly incorporated under the said *Ontario Companies' Act* by letters patent bearing date the thirtieth day of November A.D. 1900, for purposes similar to the said The Windsor Bent Goods Company, Limited.

And whereas instead of applying for the increase of its capital stock as aforesaid the said The Windsor Bent Goods Company, Limited, for the consideration hereinafter named has agreed to enter into this contract for the sale to the Windsor Turned Goods Company, Limited, its plant, machinery, stock in trade, good will, rights, credits and property of every kind and description together with its rights, benefits and privileges granted by the corporation of the City of Windsor under By-law number 1002 finally passed the 27th day of June A.D. 1900.

And whereas doubts have arisen as to the power of the said The Windsor Bent Goods Company, Limited, to transfer such rights, benefits and privileges so granted to it by virtue of such by-law, it has been agreed by the said company to apply as soon as may be to the Legislature of the Province of Ontario for such power, and in the meantime it has been agreed by the parties hereto that the Windsor Turned Goods Company, Limited, shall immediately after the execution hereof take possession of the said plant and property and carry on the said business as agents for The Windsor Bent Goods Company, Limited.

Now therefore this agreement witnesseth that in consideration of the premises and of the sum of \$60,000 of lawful money of Canada and the delivery of \$80,000 worth of paid up common stock in the said Windsor Turned Goods Company, Limited, at the times and in the manner herein-after provided for, and the assumption by the parties of the second part of all the liabilities and obligations of the parties of the first part in connection with said business, and the said parties of the first part hereby covenant and agree to sell, assign, transfer and set over unto the said party, of the second part, their successors or assigns all their real estate, plant, machinery, stock in trade, rights, credits and other property of every kind and description together with its rights, benefits and privileges granted by the Corporation of the City of Windsor under By-law number 1002 finally passed the 27th day of June A.D., 1900.

The said parties of the first part further covenant and agree as aforesaid, that they will, as soon as may be hereafter, make application to the Legislature of the Province of Ontario for an enabling Act, giving them power to effectually make the transfer as agreed upon in the preceding paragraph.

And it is hereby further covenanted and agreed by the parties hereto, that the parties of the second part shall in the meantime, and until such sale and transfer is completed, or this agreement terminated, as herein-after provided for, take possession of the said plant and property and operate and carry on such business as agents for the parties of the first part, and to have the full management and control thereof, but all profits thereof are to be paid to the parties of the first part subject to the payment to the parties of the second part of such remuneration as may be agreed upon between them, and in default of agreement, may be determined by arbitration. The parties of the second part, however, hereby covenanting and agreeing to indemnify and save the parties of the first part harmless of and from all actions, claims, demands and liabilities of whatsoever kind or nature now existing or hereafter to be incurred.

It is further covenanted and agreed by the parties hereto that the sale and transfer hereinbefore agreed to shall within one month from the time of such enabling Act, if any, comes into force, be completed by the parties of the first part absolutely conveying to the parties of the second part of that agreed to be sold, the said parties of the second part having first paid and delivered to the parties of the first part the consideration therefor. hereinbefore set forth.

It is further covenanted and agreed by the parties hereto that in case of failure to obtain the enabling Act hereinbefore referred to, this agreement may be terminated by any of the parties hereto on giving one month's notice in writing.

In witness whereof the parties hereto have hereunto set their hands and seals.

THE WINDSOR BENT GOODS Co., LIMITED.

JAMES SAMSON, [Seal.]

President.

R. McBride,

Secretary-Treasurer.

J. FINDLAY. [Seal.]

JAMES SAMSON. [Seal.]

T. WATSON. [Seal.]

R. PINCHIN. [Seal.]

A. W. DAVIDSON. [Seal.]

O. E. FLEMING. [Seal.]

WINDSOR TURNED GOODS Co., LIMITED.

A. W. DAVIDSON, Prov'l Director.

WINDSOR TURNED GOODS Co., LIMITED.

JAMES SAMSON,

President.

R. McBride,

Secretary.



CHAPTER 100

An Act respecting Christ's Church, Hamilton.

Assented to 15th April, 1901.

WHEREAS the Rector and Church Wardens of Christ's Church in the City of Hamilton have by their petition represented that they own lots numbers 18, 19 and 20 fronting on James Street and lots numbers 18, 19 and 20 fronting on Hughson Street in the block bounded by James, Barton, Hughson and Robert Streets in the City of Hamilton; that upon the James Street frontage there has been erected a church and school house and other buildings, which are now used and occupied by the congregation of Christ's Church; that a portion of the lots fronting on Hughson Street

Preamble.

Street was many years ago used as a burying ground ; that for nearly fifty years the said ground has not been used for the purposes of burial ; that many of the families who formerly used it have acquired burial lots in other cemeteries, and many of the bodies have been removed by friends to such other cemeteries, and that from the location of the said property in the centre of the said city it would be improper to use the same for burial purposes now, and they have prayed that they may be authorized to remove the bodies and monuments from the said burying ground and be permitted to sell the said lands fronting on Hughson Street or so much thereof as they may deem proper ;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Notice to
relatives of
dead.

1. The Rector and Church Wardens of Christ's Church in the City of Hamilton may during the period of one month publish a notice in the *Ontario Gazette* and twice a week in one daily newspaper published in the City of Hamilton, to the friends or relatives of the dead interred in the said burying ground stating their intention after a day named in said notice, which day shall not be less than six weeks after the first publication of such notice, to remove the remains (if any) therefrom and the monuments erected thereon.

Removal of
remains after
notice.

2. Upon and after the expiration of the said period of six weeks the said Rector and Church Wardens and their successors are hereby authorized and empowered to remove in a decent and orderly manner from the portion of the said burying ground which they may desire to sell, to another portion of the lands adjoining the said church, the remains of any bodies that may not have been removed by friends or relatives, and to inter them there, re-erecting any monuments that may mark the places of burial of the said remains.

Power to sell
after notice
and removal.

3. After the giving of such notice as aforesaid and after the expiration of the said period of six weeks and after the removal of any remains and of any monuments and the re-erection of such monuments, the Rector and Church Wardens of Christ's Church shall hold the said lots numbers 18, 19 and 20 fronting on Hughson Street to the depth of 110 feet from Hughson Street freed and discharged of and from all claims and demands of any person or persons whomsoever and trusts of any description by reason of the same having been used as such burial ground saving and excepting any existing encumbrance by way of mortgage created by the Rector and Church Wardens, and subject to any such encumbrance they are hereby authorized to sell and convey in fee simple or for any less estate the said portions of said lots numbers 18, 19 and 20 fronting on Hughson Street or any parts thereof upon
such

such terms and conditions and for such price or prices as shall by them be deemed proper, and such sales may be either by public auction or private contract, and for cash or on time, or partly for cash and partly on time, and the said Rector and Church Wardens may take, accept and hold any mortgage or other security for any balance of such purchase money.

4. The moneys arising from the sale of the said land after payment of the expenses connected with the passing of this Act and the carrying out of the provisions thereof shall be applied in or towards payment of any such encumbrances upon the said lands, and so far as not so applied or required shall be used for the purposes of the said church.

Application
of proceeds
of sale.

5. It shall be the duty of the said Rector and Church Wardens to use due care and diligence that all the remains of the dead have been removed from the said burying ground before they sell as aforesaid, but the title of any purchaser shall not be affected or prejudiced by reason only of the non-removal of any remains of the dead from the portion or portions so sold, if it shall be made to appear to the Judge of the County Court of the County of Wentworth for the time being, and if he shall so certify under his hand, that all the remains of the dead, so far as the same could be discovered, have been removed from the said portion or portions so sold, and such certificate shall be registered in the Registry Office for the County of Wentworth on the production thereof to the said Registrar, and the payment to him of \$1.00 as a fee for such registration.

Certificate of
County Judge
as to removal
of remains.

CHAPTER 101

An Act respecting the Church of England burying ground at Shelburne.

Assented to 15th April, 1901.

WHEREAS the Rev. William Hinde, Rector of St. Paul's Church, Shelburne, and R. A. Riky and Morrison Rooney, the Church Wardens of the said St. Paul's Church, have by their petition set forth that the Church of England property upon which the church is built in the said village was at one time used as a burying-ground and that there are some bodies left in the said ground; that for many years the said ground has not been used for purposes of burial and many of the

Preamble.

families who formerly used it have acquired burial lots in, and removed many of the bodies interred in such burying-ground to other cemeteries; that the said burying-ground is now in the residential portion of the said village, and houses are built on the lots on three sides of the same, and the road is on the fourth side; that the Council of the Village of Shelburne long ago passed a By-law prohibiting further interments within the limits of the said village; that the friends and relatives of the few persons whose remains are still buried in the said burying-ground cannot be found, and the said burying-ground is not kept in repair; that the said Rector and Church Wardens are desirous of obtaining authority to remove the remains of the dead and monuments therefrom; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Notice to be given to relatives, etc., of persons buried to remove remains.

1. The Rector and Church Wardens of St. Paul's Church in the Village of Shelburne, may during the period of one month publish a notice in the *Ontario Gazette* and in one weekly newspaper published in the said Village of Shelburne, to the friends or relatives of the dead interred in said burying ground notifying them to remove the bodies therefrom within six months from the first publication of the said notice and stating their intention after a day named in said notice, which day shall not be less than six months after the first publication of such notice, to remove the remains (if any) then left in the said burying ground and the monuments erected thereon.

Removal of remains to other cemeteries after notice.

2. Upon and after the expiration of the said period of six months the said Rector and Church Wardens and their successors are hereby authorized and empowered to remove in a decent and orderly manner from the said burying-ground to some other established cemetery the remains of any bodies that may not have been removed by friends or relatives, and to inter them there, re-erecting any monuments that may mark the places of burial of the said remains.

CHAPTER 102

An Act respecting the Incorporated Synod of the
Diocese of Huron.*Assented to 15th April, 1901.*

WHEREAS the Incorporated Synod of the Diocese of Huron has by petition prayed, that an Act may be passed, conferring upon the said Synod certain powers as to the formation of Select Vestries, or Boards of Management, and whereas it is expedient to grant the prayer of the said petition,

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. Notwithstanding anything contained in the Act passed in the thirty-eighth year of the reign of Her late Majesty Queen Victoria, chapter seventy-four and intituled "*An Act to incorporate the Synod of the Diocese of Huron and to unite the Church Society of the Diocese of Huron therewith*," or in chapter 307 of the Revised Statutes of Ontario, or in any other Act inconsistent herewith, the said Synod shall have power and authority to provide by Canon of such Synod, for the election by the vestry of any or every church, within the said Diocese, from the members of such vestry of a Select Vestry or Board of Management, which shall possess all the rights, powers and privileges possessed or exercised by the Church Wardens or by the vestry thereof, or any portion of such rights, powers and privileges, and that the said churchwardens shall be subject to the direction and control of the Select Vestry or Board of Management of their Church, as regards the administration of the temporal affairs of such church, and by the same Canon to define or limit the duties of such Select Vestry or Board of Management and of the churchwardens respectively.

Power to provide for select vestries or boards of management.

2. The operation of such Canon may in the discretion of said Synod be made applicable only to churches whose vestries may declare themselves by resolution desirous of adopting the same, or to a defined class or number of churches only and the said Canon may from time to time be amended or repealed by the said Synod and a new Canon or Canons enacted within the powers hereinbefore conferred.

Canon may be general or restricted in application.

3. Nothing in this Act shall be construed as authorizing a change in the title or tenure of property belonging to or held in trust for any church or churches within the said diocese.

Titles to church property not affected.

CHAPTER 103

An Act to confirm the sale of the property belonging to the Reformed Presbyterian Church in the City of Toronto.

Assented to 15th April, 1901.

Preamble.

WHEREAS by the petition of Catherine Peacock it has been made to appear that the lands and premises hereinafter described were by a certain indenture dated the 27th day of August, 1866, vested in one John Humphreys, John Kidd and Daniel Kidd as trustees of the Reformed Presbyterian Church of the City of Toronto in connection with the Synod of the Reformed Presbyterian Church of North America, their successors and assigns, upon certain trusts in said indenture more fully set forth; that the said trusts are not now capable of taking effect according to the true intent and meaning of the said indenture; that the said John Humphreys and Daniel Kidd are both dead and that no trustees have been appointed in their stead; that the said John Kidd as surviving trustee has assumed to convey the said lands to one Charles Smith; that there has been paid into court in the matter of the trusts contained in the conveyance from Isaac White to the Trustees of the Reformed Presbyterian Church, Toronto, and of the Imperial Statutes, 10 and 11 Victoria, Chapter 96, intituled "An Act for better securing Trust Funds and for the relief of Trustees," the sum of \$5,704.66 as purchase money therefor; that a certain action is now depending in the High Court of Justice for Ontario wherein the Attorney-General for the Province of Ontario is plaintiff at the relation of Catherine Peacock, and the said John Kidd is defendant, wherein it is sought among other things to administer the property coming within the trusts in the said indenture set forth; and whereas doubts have been raised as to the power of the said John Kidd to convey the said lands and also as to the jurisdiction of the court to administer the money arising from said sale until the same is confirmed; and whereas the petitioner has by her said petition prayed that such sale be confirmed accordingly; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Sale of lands confirmed.

1. The sale to the said Charles Smith of the said lands and premises, that is to say: All and singular that certain parcel or tract of land and premises situate, lying and

and being in the City of Toronto aforesaid, comprising part of Park lot number nine in the said City of Toronto, and more particularly known as building lot number one hundred and twenty-five south of Louisa street on a plan or survey of part of the said Park lot number nine made for one John Simcoe Macaulay by J. O. Browne, Esquire, Deputy Provincial Surveyor, dated the twelfth day of January, 1850, which said parcel of land is butted and bounded or may be otherwise known as follows, that is to say :—Commencing on the south side of Louisa street at the north east angle of the said building lot number one hundred and twenty-five and about fifty feet east from James street; thence south sixteen degrees east along the eastern boundary of said lot parallel to James street, eighty-eight feet, then south seventy-four degrees west parallel to Louisa street fifty feet more or less to James street; then along the eastern limit of James street eighty-eight feet more or less to Louisa street; then north seventy-four degrees east along the southern limit of Louisa street fifty feet more or less to the place of beginning, is hereby confirmed, and validated.

CHAPTER 104

An Act respecting Les Reverends Peres Oblats de L'Immaculee Conception de Marie, commonly known as The Oblates of Mary Immaculate.

Assented to 15th April, 1901.

WHEREAS the Corporation of Les Reverends Peres Oblats de L'Immaculee Conception de Marie, commonly known as the Oblates of Mary Immaculate have, by their Petition represented that the said Corporation was incorporated on the 30th day of May, 1849, under an Act of the late Province of Canada, being Chapter 143 of the Acts passed in the 12th year of the reign of Her late Majesty, Queen Victoria, and by their said petition have asked for an Act amending the said Act of Incorporation by empowering the said corporation to mortgage, hypothecate, sell, lease or otherwise dispose of the real and personal property of the said corporation; and whereas it is expedient to grant the prayer of the said petition:—

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

1. The said corporation shall have power from time to time and so often as they shall deem necessary or expedient, to mortgage, hypothecate, sell, lease or otherwise dispose of the real and personal property of the said corporation.

Power to sell,
mortgage,
etc., real and
personal pro-
perty.

CHAPTER

CHAPTER 105.

An Act respecting the Sisters of St. Joseph of the
Diocese of Hamilton*Assented to 15th April, 1901.*

Preamble.

WHEREAS the Sisters of St. Joseph of the Diocese of Hamilton have by their petition set forth that they were incorporated under the provisions of chapter 167 of the Revised Statutes of Ontario, 1877, intituled *An Act respecting Benevolent, Provident and other Societies*, and have for many years carried on benevolent and charitable works and conducted various institutions for the reception and instruction of orphans and the relief of the poor, sick and necessitous, and also works and institutions of education, and that the said works have from time to time become extended and enlarged, and with a view to extending the sphere of usefulness of the said corporation and to enable them to more properly and efficiently carry on such works and institutions as aforesaid, it is desirable that their powers with respect to acquiring, holding and disposing of real estate should be enlarged; and whereas the said corporation has by petition prayed that an Act may be passed to remove the restrictions under which the said corporation labours with respect to such powers and to enlarge such powers, and whereas it is expedient to grant the prayer of the said petition,

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to hold
lands to
annual value
of \$25,000.

1. Subject to the proviso hereinafter contained the said corporation may from time to time and at all times hereafter purchase, acquire, hold, possess and enjoy and have, take and receive to them and their successors to and for the uses and purposes of the corporation, any lands, tenements, hereditaments and real and immovable property not exceeding in the whole at any one time the annual value of \$25,000, situate within the limits of the Roman Catholic Diocese of Hamilton occupied or hereafter to be occupied by the said corporation or any branch thereof for the purposes thereof and subject to the said proviso the same or any part thereof to sell, mortgage, lease, alienate or dispose of and purchase other lands in their stead for the same purposes; and the said corporation may further acquire any other real estate or any interest therein by purchase, gift, devise or bequest so as the same does not exceed

Further
powers as to
holding lands.

exceed the like annual value of \$10,000 and may hold such estate or interest therein for a period of not more than seven years and the same or any portion thereof or interest therein as may not within the said period have been alienated or disposed of shall revert to the party from whom the same was acquired, his heirs or other representatives; and the proceeds of such property as shall have been disposed of during the said period may be invested in public securities of the Province, stocks of chartered banks, mortgages or other approved securities for the use of the said corporation; and the powers of purchasing, holding, selling, mortgaging or otherwise acquiring or disposing of real estate given hereby may be exercised on behalf of the corporation by the five following named duly elected officers for the time being thereof, viz.: the Reverend Mother Superior, the Assistant Mother, the Mistress of Novices and any two Councillors, without the necessity of any general meeting or resolution of the members and without notice to them.

Provided that no purchase, sale, mortgage, lease, alienation Proviso. or other disposition of any real estate shall be made by the said corporation without the approval first had and obtained of the Bishop for the time being of the Roman Catholic Diocese of Hamilton or the Spiritual Superior by the said Bishop appointed, expressed in writing and under his signature, and any purchase, sale, mortgage, lease, alienation or other disposition made without such approval shall be invalid.

CHAPTER 106.

An Act respecting the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

Assented to 15th April, 1901.

WHEREAS the corporation known as the Subsidiary High Preamble
Court of the Ancient Order of Foresters in the Dominion of Canada, hereinafter referred to as the Provincial Corporation, was originally incorporated under chapter 167, of the Revised Statutes of Ontario, 1877; and whereas the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada, hereinafter called the Dominion Corporation, was incorporated by an Act of the Parliament of Canada, being chapter 91, of the statutes of 1898, and the said chapter 91 of the

the statutes of 1898 received the Royal Assent on the 13th day of June, 1898; and whereas the said Provincial Corporation on, from and after the said 13th day of June, 1898, ceased to use or exercise any of its corporate powers; and whereas, from and after the said 13th day of June, 1898, the Dominion Corporation assumed all the contracts and liabilities and has paid all the debts and has performed and fulfilled all the duties and obligations of the said Provincial Corporation as the same have matured, and there are no debts of the said Provincial Corporation remaining now undischarged; and whereas the said Dominion Corporation has by petition prayed that it may be enacted that all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Corporation, or to which the said Provincial Corporation was or might become entitled, shall be deemed to have been as from the said 13th day of June, 1898, transferred to and vested in the said Dominion Corporation; and whereas the said Dominion Corporation has by its petition further prayed that it may be enacted that all persons holding contracts of insurance or otherwise entitled to claim against the said Provincial Corporation shall be deemed to have become entitled as from the said date to claim against the said Dominion Corporation subject to the provisions of the constitution and laws of the said Dominion Corporation from time to time in force; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Assignment
by Provincial
to Dominion
Corporation
confirmed.

1. The said Provincial Corporation shall be deemed to have on the said 13th day of June, 1898, granted, assigned, transferred and set over unto the said Dominion Corporation, its successors and assigns to its and their own use absolutely, all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Corporation, or to which the said Provincial Corporation was, is or shall hereafter be or become entitled.

Assets of
Provincial
Corporation
vested in
Dominion
Corporation.

2. All the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate belonging to the said Provincial Corporation or to which the said Provincial Corporation was, is or shall hereafter be or become entitled shall be deemed as on, from and after the said 13th day of June, 1898, to have been and to be transferred to and vested in the said Dominion Corporation, its successors and assigns to its and their own use absolutely for all the estate, right, title, interest, claim, property and demand which the said Provincial Corporation had or was entitled to have on the said 13th day of June, 1898, or to

which

which the said Provincial Corporation was, is or shall hereafter be entitled, and it shall be deemed that as from the said day the said Dominion Corporation was and is empowered to exercise all the powers, rights and privileges in relation to the said assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate that the said Provincial Corporation had, has or might have had, and no suit, action or proceeding being carried on or power being exercised shall be discontinued or abated by or on account of this Act, but the same may continue in the name of the said Provincial Corporation and the said Dominion Corporation shall have the same rights and remedies and be subject to the same liabilities and duties and shall pay and receive the like costs as if the suits, actions or proceedings had been commenced or defended in the name of the said Dominion Corporation.

3. All persons holding contracts of insurance or otherwise entitled to claim against the Provincial Corporation shall be deemed to have become entitled as from the said 13th day of June, 1898, to claim against the Dominion Corporation subject to the provisions of the constitution and laws of the said Dominion Corporation from time to time in force, and a release, discharge or surrender given on, from and after the said date to or by the said Dominion Corporation of any debts, liability, right or interest of the said Provincial Corporation, shall be deemed to have been and to be a sufficient release, discharge or surrender of such debt, liability, right or interest.

Claims against
Provincial to
be claims
against
Dominion
Corporation

4. For the purpose of *The Land Titles Act* or of registration under *The Registry Act* or of *The Bills of Sale and Chattel Mortgage Act* or any other Act of the Province, it shall be sufficient in order to show the transmission of title from the Provincial Corporation to the Dominion Corporation if any instrument affecting lands or any interest in lands or personal property or any interest in personal property included or intended to be included in the aforesaid transfer from the said Provincial Corporation to the said Dominion Corporation recite or mention the title of this Act and the chapter and statute year in which this Act was passed.

Registration
of instruments
of transfer.

Rev. Stat.
c. 138.
Rev. Stat.
c. 136.
Rev. Stat.
c. 148.

5. Nothing in this Act contained shall be deemed to affect or interfere with the funds or assets of the subordinate courts.

Subordinate
courts not
affected.

6. Nothing in this Act contained shall prejudice the right of any plaintiff in any action now pending to make any claim now open to him, but he shall have the same right thereto as if this Act had not been passed.

Pending lit-
igation not
affected.

CHAPTER 107.

An Act respecting The Supreme Court of the
Independent Order of Foresters.*Assented to 15th April, 1901.*

Preamble

WHEREAS the Corporation known as The Supreme Court of the Independent Order of Foresters, hereinafter referred to as the Provincial Corporation, was originally incorporated under Chapter 167 of the Revised Statutes of Ontario, 1877; and whereas The Supreme Court of the Independent Order of Foresters, hereinafter called the Dominion Corporation, was incorporated by an Act of the Parliament of Canada, being Chapter 104 of the Statutes of 1889 which was amended by Chapter 51 of the Statutes of 1896, and the said Chapter 104 of the Statutes of 1889 received the Royal Assent on the second day of May, 1889; and whereas the said Provincial Corporation on, from and after the said second day of May, 1889, ceased to use or exercise any of its corporate powers; and whereas on, from and after the said second day of May, 1889, the Dominion Corporation assumed all the contracts and liabilities and has paid all the debts, and has performed and fulfilled all the duties and obligations of the said Provincial Corporation as the same have matured, and there are no debts of the said Provincial Corporation remaining now undischarged; and whereas the said Dominion Corporation has by petition prayed that it may be enacted that all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Corporation or to which the said Provincial Corporation was or might become entitled, shall be deemed to have been as from the said second day of May, 1889, transferred to and vested in the said Dominion Corporation; and whereas the said Dominion Corporation has by its petition further prayed that it may be enacted that all persons holding contracts of insurance or otherwise entitled to claim against the said Provincial Corporation shall be deemed to have become entitled as from the said date to claim against the said Dominion Corporation subject to the provisions of the Constitution and Laws of the said Dominion Corporation from time to time in force; and whereas it is expedient to grant the prayer of the said petition:

Therefore

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of Ontario, enacts as follows :

1. The said Provincial Corporation shall be deemed to have on the said second day of May, 1889, granted, assigned, transferred and set over unto the said Dominion Corporation, its successors and assigns, to its and their own use absolutely, all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, of or belonging to the said Provincial Corporation, or to which the said Provincial Corporation was, is, or shall hereafter be or become entitled.

Provincial Corporation deemed to have transferred assets.

2. All the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the said Provincial Corporation or to which the said Provincial Corporation was, is, or shall hereafter be or become entitled, shall be deemed as on, from and after the said second day of May, 1889, to have been and to be transferred to and vested in the said Dominion Corporation its successors and assigns to its and their own use absolutely for all the estate, right, title, interest, claim, property and demand which the said Provincial Corporation had or was entitled to have on the said second day of May, 1889, or to which the said Provincial Corporation was, is or shall hereafter be entitled, and it shall be deemed that as from the said day the said Dominion Corporation was and is empowered to exercise all the powers, rights and privileges in relation to the said assets, interests, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate that the said Provincial Corporation had, has or might have had, and no suit, action or proceeding being carried on or power being exercised shall be discontinued or abated by or on account of this Act, but the same may continue in the name of the said Provincial Corporation, and the said Dominion Corporation shall have the same rights and remedies and be subject to the same liabilities and duties and shall pay and receive the like costs as if the suits, actions or proceedings had been commenced or defended in the name of the said Dominion Corporation.

Assets of Provincial Corporation vested in Dominion Corporation.

3. All persons holding contracts of insurance or otherwise entitled to claim against the Provincial Corporation, shall be deemed to have become entitled as from the said second day of May, 1889 to claim against the Dominion Corporation subject to the provisions of the Constitution and Laws of the said Dominion Corporation from time to time in force, and a release, discharge or surrender given on, from and after the said date to or by the said Dominion Corporation of any debt, liability, right or interest of the said Provincial Corporation shall be deemed to have been and to be a sufficient release, discharge or surrender of such debt, liability, right or interest.

Rights of members, etc., not impaired.

Registration
of
Instruments.

Rev. Stat.
c. 138.
Rev. Stat.
c. 136.
Rev. Stat.
c. 148.

4. For the purpose of *The Land Titles Act* or of registration under *The Registry Act* or of *The Bills of Sale and Chattel Mortgage Act* or any other Act of the Province, it shall be sufficient in order to show the transmission of title from the Provincial Corporation to the Dominion Corporation if any instrument affecting lands or any interest in lands or personal property or any interest in personal property included or intended to be included in the aforesaid transfer from the said Provincial Corporation to the said Dominion Corporation recite or mention the title of this Act and the Chapter and statute year in which this Act was passed.

59 V. c. 120,
s. 1, amended.

5. Section 1 of the Act passed in the 59th year of the reign of Her Late Majesty Queen Victoria, chaptered 120, is hereby amended by striking out, in the last line of the said section, the sum "\$20,000" and substituting in lieu thereof the sum "\$30,000."

CHAPTER 108.

An Act respecting The Lady Stanley Institute at Ottawa.

Assented to 15th April, 1901.

Preamble.

WHEREAS The Lady Stanley Institute for Trained Nurses (hereinafter called the Institute) is a body corporate hitherto carrying on at the City of Ottawa the work of training nurses for the sick and affording a residence or home for trained nurses; and whereas the County of Carleton General Protestant Hospital (hereinafter called the Hospital) is also a body corporate carrying on hospital work at the said City of Ottawa; and whereas the Institute has devoted practically all its time of recent years towards supplying nurses for the Hospital and the Hospital has under agreement paid the expenses attending the maintenance and management of the Institute; and whereas it is deemed unnecessary and inadvisable to continue the management of both institutions under two distinct boards of trustees and the Institute as a distinct corporation; and whereas the Institute desires to convey, assign, transfer and set over its assets, real and personal to the Hospital and the Hospital has agreed to accept same and thereafter

thereafter to continue the maintenance of a school or institute for training nurses for the sick and a home or residence for trained nurses under the name of The Lady Stanley Institute for Trained Nurses; and whereas the Institute and the Hospital have petitioned for an Act enabling them to carry out the objects aforesaid; and whereas it is expedient to grant the prayer of the said petition.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Institute is hereby authorized and empowered to convey, assign, transfer and set over all its assets, real and personal unto the Hospital; such transfer as regards the personal estate of the Institute to be complete upon delivery of the possession thereof and as to its real estate upon execution and delivery of a deed of conveyance to which shall be affixed the corporate seal of the Institute, as attested by the signatures of its president and secretary.

Institute
authorized to
assign its
property, etc.
to General
Hospital.

2. The Hospital is hereby authorized and empowered to receive the said real and personal estate and hereafter to continue the maintenance of the Institute property as a training school and home for nurses. The Hospital is also authorized and empowered to maintain the buildings on the said property so to be transferred and erect other buildings thereon if found necessary for the purposes of the said training school and home for nurses.

Hospital
authorized to
accept assign-
ment and con-
tinue work of
Institute.

3. The said training school and home for nurses so to be maintained by the Hospital shall continue to be known and designated as The Lady Stanley Institute for Trained Nurses.

Name of
Training
School.

4. All members of the Institute who have donated to its funds, apart from their yearly subscriptions, the sum of one hundred dollars or more shall from and after the date of the completion of the transfer as by this Act provided be life directors of the Hospital.

Life
directors.

5. Upon the completion of the transfer of the assets of the Institute to the Hospital under authority of this Act and upon provision being made for the satisfaction of the debts and obligations of the Institute, the certificate of incorporation of the Institute shall lapse.

Surrender of
incorporation
on transfer of
assets.

CHAPTER 109

An Act to incorporate The Ottawa Young Women's Christian Association.

Assented to 15th April, 1901.

Preamble.

WHEREAS an association under the name of "The Ottawa Young Women's Christian Association" has existed for several years in the City of Ottawa, having for its object the promotion of the spiritual, intellectual, social and physical welfare of young women, without reference to social or denominational distinction, under the constitution and by-laws of the said Association, with power to amend or repeal the same, and is governed by a constitution and by-laws which have received the assent of the members of the said Association; and whereas the members of the said Association have by petition prayed to be incorporated as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition,

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

Incorporation.

1. Editha P. Bronson, Mary McKay Scott, Charlotte Ross, Georgiana M. Perley, Flora S. MacTavish, Catharine Tracy, Emma B. Whitley, Lizzie J. Parson, Margaret Cole, Lydia M. Whelen, Annie H. Durie, Susanna B. Seybold, Annie E. Douglas, Amelia E. Gordon, Caroline S. Donaldson, Mary L. Blackburn, Margaret Lumsden, Jennie G. H. Eddy, Emily N. Sherwood, Jane A. Christie, Abby Maria Harmon, Elizabeth J. Butterworth, Anna S. McLean, Isabella Borbridge, Katie MacDonald, Elizabeth H. A. Watson, Margaret Maud Matthews, and such other persons as now are or hereafter shall become members of the said Association, shall be and they are hereby constituted a body politic and corporate, under the name of "The Ottawa Young Women's Christian Association," and shall have power to acquire and hold real estate in the said City of Ottawa, provided the annual value of real estate so held and not actually used for the work of the said Association shall not exceed at any one time \$10,000, and the same, or any part thereof, to alienate, exchange, mortgage, lease, or otherwise charge or dispose of as occasion may require; and may also acquire any other real estate or interest therein (so long as the annual value of the same shall not at any one time exceed \$5,000) by gift, devise or bequest, if made at least six months before the death of the party making the same; and may

may hold such estate or interest therein for a period of not more than seven years, and may within that time alienate or dispose of the same, and the proceeds of such estate or interest therein as shall have been so disposed of shall be invested in public securities for the use of the said corporation; and such estate or interest therein as may not within the said period be alienated or disposed of shall revert to the party from whom the same was acquired, his heirs and representatives.

2. The personal property of the said Association shall become the property of, and is hereby vested in, the said corporation. Personal property now held vested in corporation.

3. The object of the said corporation shall be the promotion of the spiritual, intellectual, social and physical welfare of young women by the maintenance and support of meetings, lectures, classes, reading rooms, library and such other means as may from time to time be determined upon. Objects of corporation.

4. The constitution and by-laws by which the said Association is now governed shall be the constitution and by-laws of the said corporation; but they, or any of them, may be added to, amended or repealed and others substituted therefor in the manner and subject to the conditions and provisions therein stated. Constitution and by-laws.

5. The officers and members of the Board of Directors of the Association at the time of the passing of this Act shall be the officers and members of the Board of Directors of the said corporation, and shall retain their respective offices and positions until others shall be elected in their place. Officers and members of present Association continued.

6. The said corporation shall at all times when required by the Lieutenant-Governor of the Province make an annual return of all property held by it with such details and other information as the Lieutenant-Governor may require. Annual return of property.

7. The funds of the said corporation shall be used for the purposes authorized by this Act, and nothing herein contained shall authorize the said corporation to engage in the business of trading in real estate. Funds, application of.

8. The real estate of the said corporation shall become the property of, and is hereby vested in, the said corporation, subject to existing encumbrances thereon, and shall be managed and controlled by the Board of Directors, who shall be elected in accordance with the constitution and by-laws of the corporation, and the real estate shall not, nor shall any part thereof, be liable for any future debts or obligations, unless the debt or obligation shall have been contracted with the consent of the Board of Directors, expressed by resolution duly passed and recorded. Real estate, how held, management.

Increasing or
decreasing
number of
directors.

9. The corporation may by by-law increase or decrease the number of directors and provide as to their qualification, mode of election, and the time for which they shall hold office.

Technical
education.

10. The said corporation shall have power to establish a system of technical education, including such branches of science and the development of such of the industrial arts as the Board of Directors of the said corporation may from time to time determine.

Exemption
from taxation.

11. The buildings of the Young Women's Christian Association of the City of Ottawa and the land whereon the same are erected, so long as the same are occupied by, and used for the purposes of, the Association, shall be exempt from taxation.

CHAPTER 110

An Act respecting the Toronto Western Hospital.

Assented to 15th April, 1901.

Preamble

WHEREAS the Toronto Western Hospital has represented that by reason of its growth it has been found necessary that certain changes should be made in the management of the institution in order to enable it to carry out the aims and objects for which it was incorporated, and has by petition prayed that for the said purpose certain amendments should be made to the Act of incorporation of the said institution; and whereas it is expedient to grant the prayer of the said petition :—

Therefore His Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

62 V. (2) c.118
s. 2 repealed

1. Section 2 of the Act passed in the 2nd session of the 62nd year of the reign of her late Majesty Queen Victoria and chaptered 118, is repealed and the following substituted therefor :—

Corporation,
who to be
members of.

(2) The said corporation of the Toronto Western Hospital hereinafter called "the corporation" shall be composed of all persons who respectively have heretofore contributed \$100, or more, or shall in the future contribute \$100 or more, towards
the

the maintenance or support of the said hospital, and each person who has so contributed or shall hereafter so contribute, shall be entitled to one vote at each and every meeting of the corporation for each and every \$100 contributed by him, and shall be entitled to vote either in person or by proxy.

2. Section 7 of the said Act is repealed and the following substituted therefor :—

62 V. (2) c.
118, s. 7,
repealed.

7.—(1) The corporation at each of its annual meetings (to be called and held as and when the board of governors may from time to time determine) shall elect from among its members, twelve governors in addition to those then already occupying the position of life members of the board of governors by virtue of sections 5 and 6 of this Act, to be governors of the hospital, six of which governors so to be elected shall be duly registered medical practitioners of the Province of Ontario, and, if there shall be then existing a medical staff of the hospital, shall also at the date of their election as governors be members of the medical staff of the hospital, which six governors are hereinafter called Class A. and six of which governors so to be elected shall be members of the corporation who are not members of the medical profession, which six governors are hereinafter called Class B. The said twelve governors are to be elected for one year and are to be eligible for re-election. If at any time during the interval between any annual meetings all the elected twelve governors shall resign, the corporation may elect twelve other members of the corporation to take their places but so always as that the members of Class A. and the members of Class B. respectively shall continue to be equal in number.

Governors,
election and
qualification
of.

(2) The board of governors constituted under sections 5 and 6 and this section shall elect from among its members a president, vice president, a secretary and a treasurer of the corporation and the said board of governors may fill from among the members of the corporation any vacancy or vacancies which may occur in the membership of the elected members of the said board during the interval between any annual meetings of the corporation, but so always as that the members of Class A. and the members of Class B. respectively shall continue to be equal in number.

President,
vice-president
etc.

3. Section 11 of the said Act is hereby amended by striking out the word "board" in the 6th line thereof and inserting in lieu thereof the word "staff".

62 V. (2) c.
118 s. 11
amended.

4. Section 12 of the said Act is hereby amended by striking out the word "board" in the 3rd line and inserting in lieu thereof the word "staff."

62 V. (2) c.
118 s. 12
amended.

5. Section 14 of the said Act is hereby repealed and the following substituted therefor :—

62 V. (2) c.
118 s. 14
repealed.

Medical staff. 14 (1) There shall for the purposes of the hospital be a medical staff consisting of not less than ten physicians and surgeons, who shall be duly registered medical practitioners of the Province of Ontario, and any appointment thereto in the future shall be made by the Board of Governors, but only upon the recommendation of the medical staff, unless at the time there shall be no medical staff of at least ten members existing, in which case the appointment shall be by the Board of Governors, acting in its discretion alone. Such medical staff shall (subject to the provisions of this Act) have sole charge and control of the medical and surgical treatment of patients of the hospital.

(2) If at any time all of the members of the medical staff shall resign, or if at any time through death, resignation or otherwise the members of the medical staff shall become less than ten in number, the Board of Governors shall appoint duly registered medical practitioners to be members of the medical staff sufficient in number by themselves or in conjunction with the members then upon the medical staff, as the case may be, to cause the medical staff to consist of at least ten members.

62 V. (2) c.
118, s. 15,
amended.

6. Section 15 of the said Act is hereby amended by striking out the word "board" in the ninth line thereof and inserting in lieu thereof the word "staff," and by striking out the word "board" in the tenth line thereof and inserting in lieu thereof the word "staff."

62 V. (2) c.
118, s. 16,
repealed.

7. Section 16 of the said Act is hereby repealed and the following substituted therefor:—

Tenure of
office by medi-
cal staff.

16. The members of the medical staff named in section 15 of this Act and any other members that may be appointed as aforesaid, shall respectively hold their positions on the said staff until they vacate the same by death or resignation, or by their absence from the hospital for one year without permission of the Board of Governors.

62 V. (2) c.
118, s. 17,
repealed.

8. Section 17 of the said Act is hereby repealed and the following substituted therefor:—

Removal of
members of
medical staff.

17. If at any time in the judgment of the Board of Governors the interests of the hospital would be served by the removal from office of any member or members of the medical staff, the Board of Governors may, after consulting with the medical staff, dismiss any such member or members from the medical staff.

62. V. (2) c.
118, s. 18,
amended.

9. Section 18 of the said Act is hereby amended by striking out the word "board" in the fifth line thereof and inserting in lieu thereof the word "staff," and by striking out the word "board" in the sixth line thereof and inserting in lieu thereof the word "staff."

10. Section 19 of the said Act is hereby repealed and the following substituted therefor :—

19. At the first meeting of the medical staff provided for in Section 15 of this Act, there shall be elected by the said staff from among its members a dean and a secretary, who shall hold office respectively until the first annual meeting of the said staff, and at each annual meeting there shall in like manner be elected from among the members of the said staff a dean and a secretary, who shall hold office until the next annual meeting of the staff.

62 V. (2) c.
118, s. 19,
repealed.
Dean and
secretary.

11. Section 20 of the said Act is hereby repealed and the following substituted therefor :—

20. The medical staff shall keep a record of its proceedings and shall make and change from time to time, as it may deem expedient, rules and regulations for the calling and holding of its meetings, except the annual meeting, and for regulating the medical and surgical treatment of patients of the hospital.

62 V. (2) c.
118, s. 20,
repealed.
Record of
proceedings,
regulations.

12. Section 21 of the said Act is hereby amended by striking out the word "board" in the first line thereof and inserting in lieu thereof the word "staff," and by inserting after the word "adopt" in the first line thereof the words "subject to the approval of the board of governors."

62 V. (2) c.
118, s. 21,
amended.

13. Section 22 of the said Act is hereby amended by striking out the words "medical board may also" in the first line thereof and inserting in lieu thereof "board of governors may," and by striking out the word "give" in the eighth line thereof and inserting in lieu thereof the words "authorize the giving of," and by striking out the word "board" in the tenth line thereof and inserting in lieu thereof the word "staff."

62 V. (2) c.
118, s. 22,
amended.

14. Section 23 of the said Act is hereby amended by striking out the words "medical board" in the first line thereof and inserting in lieu thereof the words "Board of Governors," and by striking out the word "medical" in the fourth line thereof and inserting in lieu thereof the word "said."

62 V. (2) c.
118, s. 23,
amended.

15. Section 24 of the said Act is hereby amended by striking out the words "medical board" in the first line thereof and inserting in lieu thereof the words "Board of Governors."

62 V. (2) c.
118, s. 24,
amended.

16. Section 25 of the said Act is hereby repealed and the following substituted therefor :—

62 V. (2) c.
118, s. 25,
repealed.

25. The medical staff shall be divided into a medical section, a surgical section, a consulting section, and such other sections and individual members, whether specialists or general practitioners, as the Board of Governors may deem advisable, but the appointment or allocation by the Board of Governors of any individual practitioner or practitioners (whether special or

Sections of
medical staff.

or general) to any one or other of said sections, or to any branch of work, shall be subject to the approval of the medical staff.

62 V. (2) c.
118, s. 27,
amended.

17. Section 27 of the said Act is hereby amended by striking out the words "according to rules adopted by the medical board" in the first and second lines thereof.

62 V. (2) c.
118, s. 28,
amended.

18. Section 28 of the said Act is hereby amended by striking out the word "trustees" in the first line thereof and inserting in lieu thereof the word "governors," and by striking out the words "trustee board" in the last line thereof and inserting in lieu thereof the words "Board of Governors."

62 V. (2) c.
118, s. 29,
amended.

19. Section 29 of the said Act is hereby amended by inserting after the word "presented" in the first line thereof the words "by the Board of Governors."

CHAPTER 111

An Act enabling and directing the Royal College of Dental Surgeons for Ontario to admit William Herbert Fisher as a student in his final year.

Assented to 15th April, 1901.

Preamble.

WHEREAS William Herbert Fisher of the City of Chatham in the County of Kent and Province of Ontario has by his petition set forth that he has been engaged in the practice of dentistry with a regular Licentiate of the College of Dental Surgeons for Ontario since the year 1888 and has become perfectly familiar with the work to be done by a regular dentist and has done such work and is now qualified to do all work to be done by a regularly licensed dentist, and has prayed that an Act may be passed enabling and directing The Royal College of Dental Surgeons for Ontario to admit him as a student in his final year; and whereas the circumstances of the case appear to be exceptional; and, whereas, subject to the provisions hereinafter set forth, it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The Royal College of Dental Surgeons for Ontario is enabled and directed to admit the said William Herbert Fisher as a student in his final year and The Royal College of Dental Surgeons for Ontario shall admit the said William Herbert Fisher to practice as a Licentiate of Dental Surgery upon his attending the said College for the final year and passing the usual prescribed examinations for the final year (excepting therefrom the subject of chemistry) and upon his passing the usual prescribed examinations for the second year in anatomy, orthodontia and crown and bridge work (all the said examinations to be passed not later than the month of May, 1903), and upon his paying the requisite fees in that behalf, any law, statute or usage to the contrary notwithstanding.

The Royal College of Dental Surgeons of Ontario enabled and directed to admit William Herbert Fisher as a student in his final year.

CHAPTER 112

An Act to enable the Executors of the late John Smith to sell or mortgage certain lands in the City of Toronto.

Assented to 15th April, 1901.

WHEREAS William John Smith and Edward Smith, both of the City of Toronto, Esquires, the executors and trustees of the last will and testament of John Smith, late of the City of Toronto, Esquire, deceased, Joseph Smith, of the same place, Esquire, Faith Jane Smith, his wife, Sarah Holman, wife of Albert Wallace Holman, of the City of Toronto, butcher, and Frank Joseph Smith, of the City of Toronto, gentleman, and John Smith Holman, Rebecca Smith Holman and Joseph Hugh Pearsall, infants under the age of 21 years, by their next friend, Sarah Holman, have, by their petition represented that the said John Smith died on or about the 24th day of September 1890 possessed of considerable estate, mainly real estate, having first made his last will and testament, which bears date the 28th day of February, 1890 and that the petitioners are all the beneficiaries under the said will interested in the real estate, except Mary Smith, the widow of the testator, and Henrietta Pearsall, a daughter, both of whom have died since the death of the testator, and one Mary Lumbers, whose interest in the estate was forfeited by her under the provisions of the said will, and who now resides in the United States of America; that some of the said adult devisees have only a life estate, there being limitations over to their children, some of whom are under the age of twenty-one years; that the petitioners could not mortgage, under the provisions of the will of the said John Smith, the property

Preamble.

property known as The Byres, a portion of the estate of the said John Smith, which said property may be more particularly known and described as follows, that is to say :—All and singular those certain parcels and tracts of land situate in the City of Toronto, composed of parts of lots numbers fourteen and fifteen in the broken front of the Township of York, and marsh lands appurtenant thereto, described as follows: commencing at the point where the southerly line of the Grand Trunk Railway of Canada intersects the westerly limit of Saulter street, thence southerly along the said westerly limit of Saulter street, and continuing to the line between the lands of the said John Smith and the lands belonging to the Corporation of the City of Toronto, thence westerly along the said line one thousand two hundred and seventy-five feet more or less to a point where a line drawn parallel to Saulter street southerly from the westerly end of the bridge of the said Grand Trunk Railway over the river Don, would intersect the said line between the lands of the said John Smith and the lands of the said Corporation of the City of Toronto, thence northerly along the said described line to the Don river, thence northerly following the course of the Don river to the southerly line of the said Grand Trunk Railway where it crosses the said Don river, thence north-easterly along the southerly line of the said Grand Trunk Railway to the place of beginning, containing, including dry land and marsh lands, about thirty-one acres; that the whole of the property not specifically devised and which includes the homestead, except the said property known as The Byres, is almost entirely unproductive, and the assessed value thereof was, in 1894, \$243,623; that owing to this fact the taxes upon the said property accumulated, and advances had to obtained from the bank, from time to time, after the death of the testator, to meet the taxes and the other necessary expenses of managing the estate; that the estate being in debt to the bank to the extent of about \$20,000, almost the entire sum being for taxes, the bank declined to make any further advances and called for payment of the loan; that to avoid proceedings being taken by the bank and an execution against the estate, and to save the property from thus being sacrificed, the executors endeavored to obtain a loan to pay off the bank and to provide for the payment of the taxes for the next five years; that they obtained a loan from George Gooderham of Toronto of \$27,000, out of which the indebtedness to the bank and the taxes for 1894 were to be paid for one year, with an agreement on the part of the said George Gooderham, that upon the executors obtaining legislative authority to include in the mortgage the said property known as The Byres, to extend the said loan for four years longer, to pay all taxes in the meantime and to allow the interest to accumulate; that an Act, being chapter 106 of the Acts passed in the 57th year of the reign of Her late Majesty Queen Victoria, was passed to enable the executors of the said John Smith to mortgage

the said property; that by indenture, dated the 14th day of October, 1895, the executors and beneficiaries mortgaged the said property in accordance with the said Act; that the said mortgage is overdue, and that the said mortgagee, George Gooderham, has taken proceedings to foreclose the said mortgage; that the executors have been negotiating with parties for the sale of the equity of redemption in the said property; that there is a doubt whether under the provisions of the said will of the said John Smith, deceased, the executors can sell the said equity of redemption, and the parties negotiating for the purchase have raised that objection, that owing to this difficulty the estate is so embarrassed that all those interested therein are liable to lose the whole of the properties of the estate covered by the mortgages to the said George Gooderham, and that it is for the best interests of the estate that the executors of the estate should be empowered to sell the said property known as The Byres; and whereas the said petitioners have by their said petition prayed that an Act may be passed to enable the said lands to be sold or mortgaged as hereinafter set forth; and whereas the Official Guardian of Infants, has examined the subject matter hereof in the interests of the infants interested therein and has approved of the application for the passing of this Act; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said William John Smith and Edward Smith, the executors of the estate of the said John Smith, deceased, or such other person or persons as may for the time being be executor or executors, trustee or trustees of the said estate, shall have power to sell the said lands in fee simple in such parcels and in such manner and upon such terms as they or he may deem best, and shall also have power to mortgage in fee simple the said lands in such parcels and in such manner and to such extent as they may deem best and to confer on any purchaser or mortgagee thereof or of any part thereof a good title to the same as purchaser or mortgagee (as the case may be) in fee simple.

Power to sell
or mortgage.

2. All conveyances and mortgages made under the provisions of this Act shall be settled and approved from time to time by the said Official Guardian, who is to execute the same for and on behalf of the said infants, and the costs of the Official Guardian of and incidental thereto shall be paid out of the estate in question, after the same shall have been taxed by the proper officer of the High Court of Justice.

Conveyances
to be settled
by the official
guardian.

3. Nothing in this Act shall be constructed to affect encumbrances (if any) existing upon or against the said lands.

Existing en-
cumbrances
not affected.

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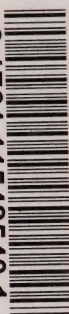
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